

CITY OF SAN ANTONIO
Board of Adjustment
Regular Public Hearing Agenda

Cliff Morton Development and Business Services Center
1901 South Alamo Street
Board Room, First Floor

Monday, August 18, 2008
12:00 Noon

BOARD OF ADJUSTMENT MEMBERS

Liz Victor – District 1	Paul Klein – District 6
Edward Hardemon – District 2	Mary Rogers – District 7
Helen Dutmer – District 3	Andrew Ozuna – District 8
Vacant– District 4	Mike Villyard – District 9
George Alejos – District 5	Gene Camargo – District Mayor
Michael Gallagher – District 10	
Chairman	
Maria Cruz	Mimi Moffat
Henry Rodriguez	Pete Vallone
Rollette Schreckenghost	

1. **12:00 Noon, Tobin Room – Work Session - Briefing regarding proposed amendments to Chapter 28: Signs and Billboards.**
2. 1:00 PM Board Room – Public Hearing Call to Order.
3. Roll Call.
4. Pledges of Allegiance.
5. **A-08-082:** The request of Theodore Martinez, for a 2-foot, 6-inch variance from the requirement that fences inside and rear yards not exceed 6-feet in order to erect an 8-foot, 6-inch fence in the side and rear yard, 5123 Capistrano Street.
6. **A-08-083:** The request of Ruben and Sylvia Berrones, for a 2-foot, 7-inch variance from the requirement that a minimum 5-foot side setback be maintained in “R-5” zoning districts, in order to keep a carport 2 feet, 5 inches from the side property line, 122 Chesswood Drive.
7. **A-08-086:** The request of Candlewood Suites, for a 2-foot variance from the requirement that fences in side and rear yards be no taller than 6 feet in height, in order to erect an 8-foot tall side and rear-yard fence, 9350 IH 10 West.

8. **A-08-087:** The request of LHS III Property Two, LLC, for a 30 foot variance from the Unified Development Code standard that a minimum 30-foot setback be maintained in "C-2" zoning districts, when abutting residential uses or zoning districts, in order to erect a structure along the rear property line, 210 West Olmos Drive.
9. **A-08-088:** The request of Salvador Cardenas, for a 20-foot variance from the Unified Development Code standard that a minimum 30-foot front setback be maintained in "I-1" zoning districts in order to erect a structure 10 feet from the front property line, 1602 West Commerce Street.
10. **A-08-090:** The request of M and M Orthodontics, for a 35-foot variance from the requirement that on-premise signs be a least 150 feet apart, in order to install an on-premise sign 115 feet from an existing freestanding on-premise sign, 9820 Braun Road.
11. **A-08-091:** The request of Christopher and Elizabeth Ledesma, for 1) a 5-foot variance from the Unified Development Code standard that a minimum 10-foot front setback be maintained in "MF-33" zoning districts when developed as single-family lots, in order to keep an existing residential structure 5 feet from the front property line and 2) a 9-inch variance from the requirement that predominantly open front yard fences be no taller than 4 feet, in order to keep an existing predominantly open front yard fence that is 4 feet 9 inches tall, 1135 Cantrell Drive.
12. Consideration of **Sign Master Plan No. 08-014**, Inwood-Randolph, located at Bitters and Loop 1604.
13. Consideration of **Sign Master Plan No. 08-015**, Braun Pointe, located at Loop 1604 and Braun Road.
14. **Consideration of proposed amendments to Chapter 28: Signs and Billboards, Sections 28-6 Definitions and 28-245 Nonconforming Sign Abatement.**
15. Approval of the minutes from the regular meeting on August 4, 2008.
16. Staff Report.
17. Executive Session: consultation on attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
18. **Adjournment**

Note: The City of San Antonio Board of Adjustment Agenda can be found on the Internet at: www.sanantonio.gov/dsd

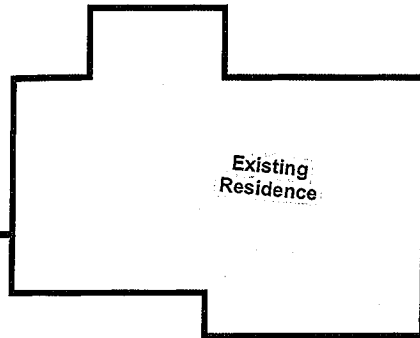
At any time prior to the meeting, you may contact a case manager at 207-0170 to check the status of a case.

Accessibility Statement

This meeting is wheelchair accessible. The accessible entrances are located at the front and side of the building at 1901 South Alamo Street. Accessible parking spaces are located in front and rear of the building. **Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight [48] hours prior to the meeting).** For Assistance, Call (210) 207-7245 Voice/TTY.

EL MIRADOR

Lot - 10
NCB - 16678
Block - 007

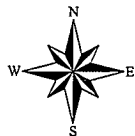


Requested
8' 6" Fence

Existing
6' Fence

CAPISTRANO

Board of Adjustment
Plot Plan for
Case A-08-082



Scale: 1" approx. = 30'
Council District 10

5123 Capistrano

Produced by the City of San Antonio
Development Services Department
(08/6/2008)

Board of Adjustment - Case No. A-08-082

August 18, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, August 18, 2008** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant - Theodore Martinez
Lot 10, Block 7, NCB 16678
5123 Capistrano Street
Zoned: "R-6" Residential Single-Family District

The applicant is requesting a 2-foot, 6-inch variance from the requirement that fences in side and rear yards not exceed 6-feet in order to erect an 8-foot, 6-inch fence in the side and rear yard.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Jacob Floyd at 207-8318 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.

Whether or not you attend this public hearing, please complete and return the cut-out portion below to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.

If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.

Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor

() In Opposition/En Oposicion

Comments/Comentarios: _____

A-08-082

CASE NO: A-08-082

Board of Adjustment – August 18, 2008

Applicant: Theodore Martinez

Owner: Theodore and Deborah L Martinez

Request(s): The applicant is requesting a 2-foot 6-inch variance from the requirement that fences in rear yards not exceed 6 feet, in order to erect an 8-foot 6-inch fence in the side and rear yard.

Legal Description: Lot 10, Block 7, NCB 16678

Address: 5123 Capistrano Street

Zoning: "R-6" Residential Single-Family District

Existing Use: Single-Family Residence

Neigh. Assoc: Valencia Neighborhood Association

Neigh. Plan: None

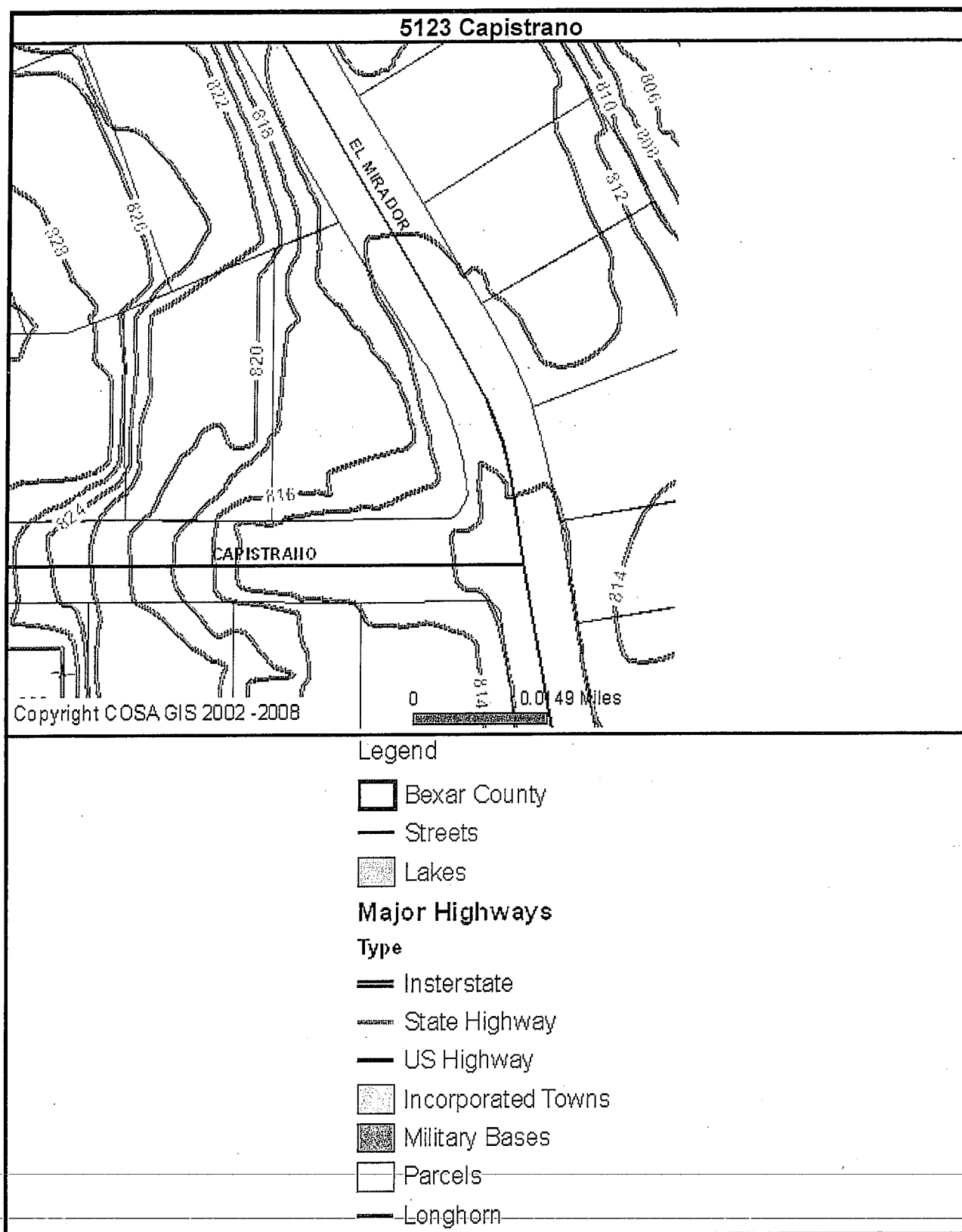
Section of the City Code from which this variance is requested:

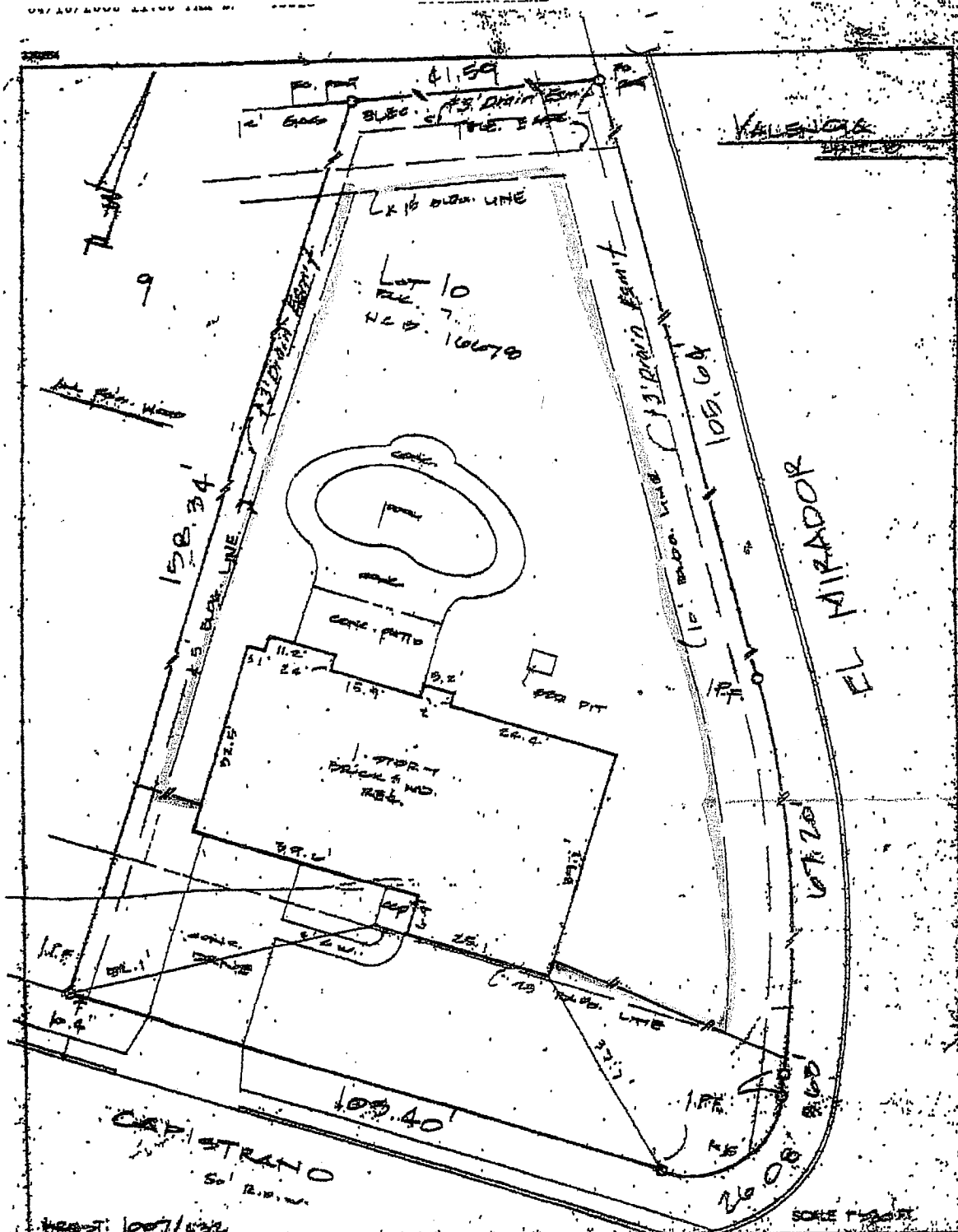
35-514(d) Fences: Fences in rear yards shall not exceed 6 feet in height.

Background: The subject property is located on the city's northeast side, southeast of Nacogdoches Road and west of O'Connor Road. The neighborhood consists of predominately single-family residential uses. "R-6" zoning surrounds the subject property in all directions, with instances of commercial zoning to the periphery of the neighborhood. There are currently two sections of fence that are in excess of 6 feet in height that were erected without permits. The applicant is proposing to erect a fence 8-foot, 6-inches in height along the entire rear yard property line, which is parallel to El Mirador. The investigation was initiated as a result of a citizen complaint.

Recommendation: The intent of the maximum fence height requirement in rear and side yards is to allow property owners to screen and secure their property, while also allowing for openness, air flow, light penetration, neighborhood uniformity and safe visual clearance. A 6-foot tall solid screen fence is typically deemed sufficient to provide the desired screening between residences. However, in this case an 8-foot tall solid screen fence appears to be justifiable, due to the unique topography of the property. Much of the property along the west side of El Mirador slopes significantly toward the northeast, resulting in a considerable elevation difference between the subject property's rear yard and the east side of El Mirador. A number of the residences that face the subject property from across El Mirador have a nearly unobstructed view into the subject property's rear yard. Considering the intent of the fence height standards it appears the request for an additional 2 feet, 6 inches of fence height is reasonable. Staff recommends **approval** of the requested variance.

Case Manager: Jacob Floyd, Planner (210) 207-8318





of Sections
11x8x20

1007/1992
 BLOCK NO. 7 ADDITION OF SECTION 10
 SECTION NO. 10
 STREET ADDRESS 1007/1992
 COUNTY, TOWN, RANGE AND RANGE 280076

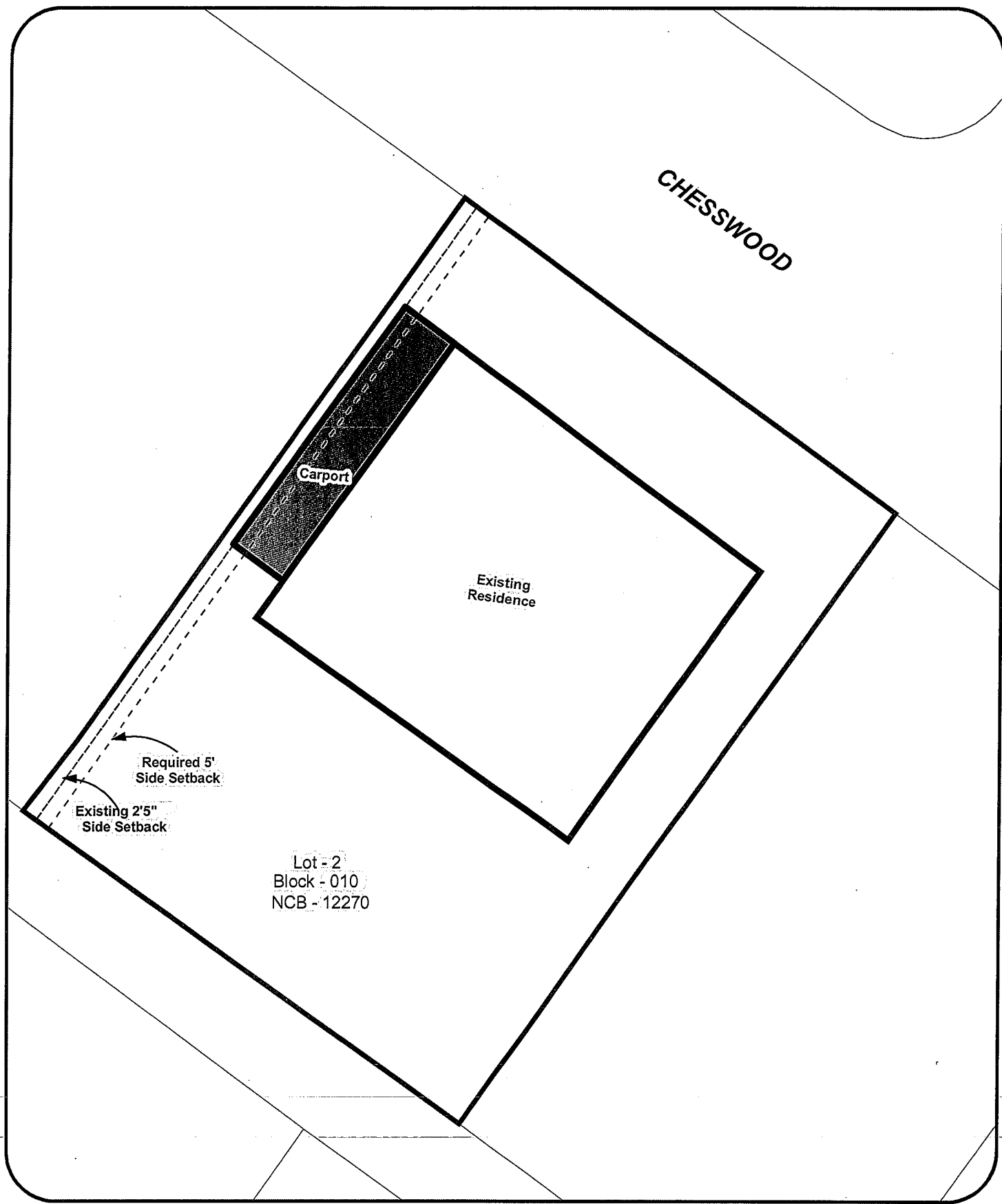
This above mentioned property is located in Zone C according to the National Flood Insurance Program
 Flood Hazard Zone C-100 Year Flood Zone
 Zone A - 100 Year Flood Zone B - 100 to 300 Year Flood Zone C - Area of Shading Flood

NOTICE: THE STATE OF TEXAS HAS ADOPTED THE NATIONAL FLOOD INSURANCE PROGRAM AND HAS MADE IT A POLICY TO INSURE ALL FLOOD DAMAGE TO PROPERTY OWNERS WHO HAVE A FLOOD INSURANCE POLICY WITH THE STATE OF TEXAS. THE STATE OF TEXAS HAS ADOPTED THE NATIONAL FLOOD INSURANCE PROGRAM AND HAS MADE IT A POLICY TO INSURE ALL FLOOD DAMAGE TO PROPERTY OWNERS WHO HAVE A FLOOD INSURANCE POLICY WITH THE STATE OF TEXAS.

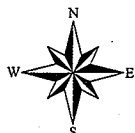
STATE OF TEXAS
 COUNTY OF DALLAS
 T. CAFFALL
 1987
 LAND SURVEYOR

Justus L. L. L.
Justus L. L. L.





Board of Adjustment
Plot Plan for
Case A-08-083



Scale: 1" approx. = 20'
Council District 7

122 Chesswood

Produced by the City of San Antonio
Development Services Department
(08/6/2008)

Board of Adjustment - Case No. A-08-083

August 18, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, August 18, 2008** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant- Ruben and Sylvia Berrones
Lot 2, Block 10, NCB 12270
122 Chesswood
Zoned: "R-5" Residential Single-Family District

The applicant is requesting a 2-foot, 7-inch variance from the requirement that a minimum 5-foot side setback be maintained in "R-5" zoning districts, in order to keep a carport 2 feet, 5 inches from the side property line.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Mike Farber at 207-3074 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

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If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.

Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

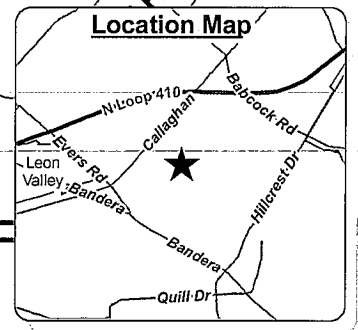
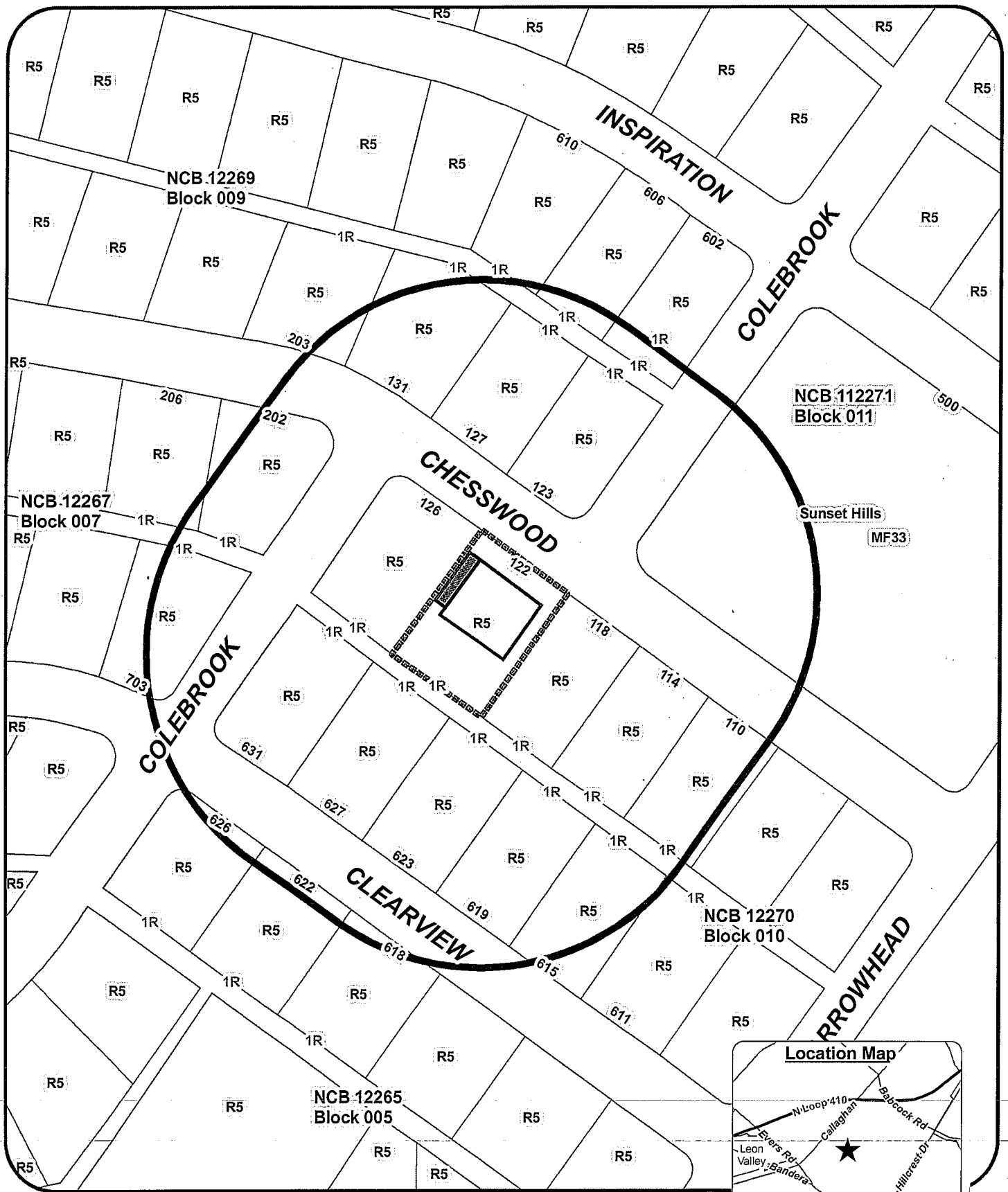
Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor

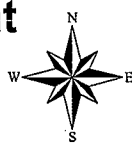
() In Opposition/En Oposicion

Comments/Comentarios: _____

A-08-083



Board of Adjustment
Notification Plan for
Case A-08-083



Legend

Subject Property 
 200' Notification Buffer 

Scale: 1" approx. = 100'
 Council District 7

Produced by the City of San Antonio
 Development Services Department
 (08/08/2008)

CASE NO: A-08-083

Board of Adjustment – August 18, 2008

Applicant: Ruben and Sylvia Berrones

Owner: Ruben and Sylvia Berrones

Request(s): The applicant is requesting a 2-foot, 7-inch variance from the requirement that a minimum 5-foot side setback be maintained in "R-5" zoning districts, in order to keep a carport 2 feet, 5 inches from the side property line.

Legal Description: Lot 2, Block 10, NCB 12270

Address: 122 Chesswood Drive

Zoning: "R-5" Residential Single-Family District

Existing Use: Single-Family Residence

Neigh. Assoc: None

Neigh. Plan: Near Northwest Neighborhood Plan

Section of the City Code from which this variance is requested:

35-310 Zoning District Purpose Statements and Design Regulations: A minimum 5-foot side setback is required in "R-5" zoning districts.

Background: The subject property is located on Chesswood Drive, just south of Loop 410 and east of IH 10. Chesswood Drive is bound by Colebrook Drive to the west and Arrowhead Drive to the east. The subject property sits in an established residential neighborhood, primarily zoned R-5. The existing carport on the property sits approximately 2 feet 5 inches from the side property line. According to the information provided in application, a fire occurred that damaged a substantial portion of the structure at 122 Chesswood. The carport in question was built in tandem with the reconstruction of the primary structure following the fire. No permits appear to have been obtained for said carport. The investigation was initiated by city inspectors.

Recommendation: The intent of the front and side setback requirements are to allow for air flow, light penetration, neighborhood uniformity, to prevent the overcrowding of lots, and to maintain a reasonable amount of open space that is desired in single-family residential neighborhoods. The carport at 122 Chesswood was constructed without permits and does not conform to the overall character (i.e. overall scale, etc.) of the majority of carports in the surrounding neighborhood, save a few that are currently under investigation. Furthermore, this lot does not appear to be characterized by any unique terrain features where literal enforcement of the side setback requirement would result in an unnecessary hardship. Should the Board grant the applicant's request for a variance, the applicant has been made aware of the necessity of the construction of a firewall along the length of the carport. This is a requirement as per International Residential Code for One- and Two-Family Dwellings – Section R302.1: Exterior Walls (Table R302.1). Staff recommends **denial** of the requested variance.

Case Manager: Mike Farber, Planner (210) 207-3074

NEIGHBORHOOD AND URBAN DESIGN DIVISION
BOARD OF ADJUSTMENT CASE REVIEW FORM

CASE INFORMATION

Case #: A-08-083

Property Address: 122 Chesswood

Zoning: R5

Hearing Date: 08/18/08

Type / Scope of BOA Request:

2.5 foot variance from the UDC requirement that a minimum 5-foot side setback be maintained in "R5" zoning districts, in order to maintain a structure 2.7 feet from the side property line.

PLANNING PROGRAM / PROJECT OVERLAP

Neighborhood Association(s): None

Neighborhood or Community Plan: Near Northwest Community Plan

Neighborhood Conservation District: n/a

Corridor Overlay District (name or n/a): n/a

ANALYSIS STATEMENT

The subject parcel is designated Low Density Residential land use in the Near Northwest Community Land Use Plan. Low density residential land use is composed of single-family houses on individual lots reflecting the predominate lot size in the area. However, certain non-residential uses such as schools and parks are appropriate in these areas as well. Low density residential supports the principles of reinforcing existing neighborhoods and supporting residential growth within walking distance of neighborhood commercial centers and school. Surrounding parcels on the Land Use Map are designated Low Density Residential to the north, east, south and west and Parks/Open space on the northeastern corner.

Standards for carports are not specifically addressed in the Near Northwest Community Plan, however; there are several goals that refer to maintaining neighborhood character. Goal 3.3.1 states that residents should "Identify architects and builders who can remodel or rehabilitate homes in a sensitive manner that maintains the house's character" (pg 31). There do not appear to be any extenuating topographical constraints or similar issues related to the applicant's parcel which would warrant a variance from current UDC regulations.

RECOMMENDATION

Recommendation Pending Additional Analysis / Information _____

Support Request _____

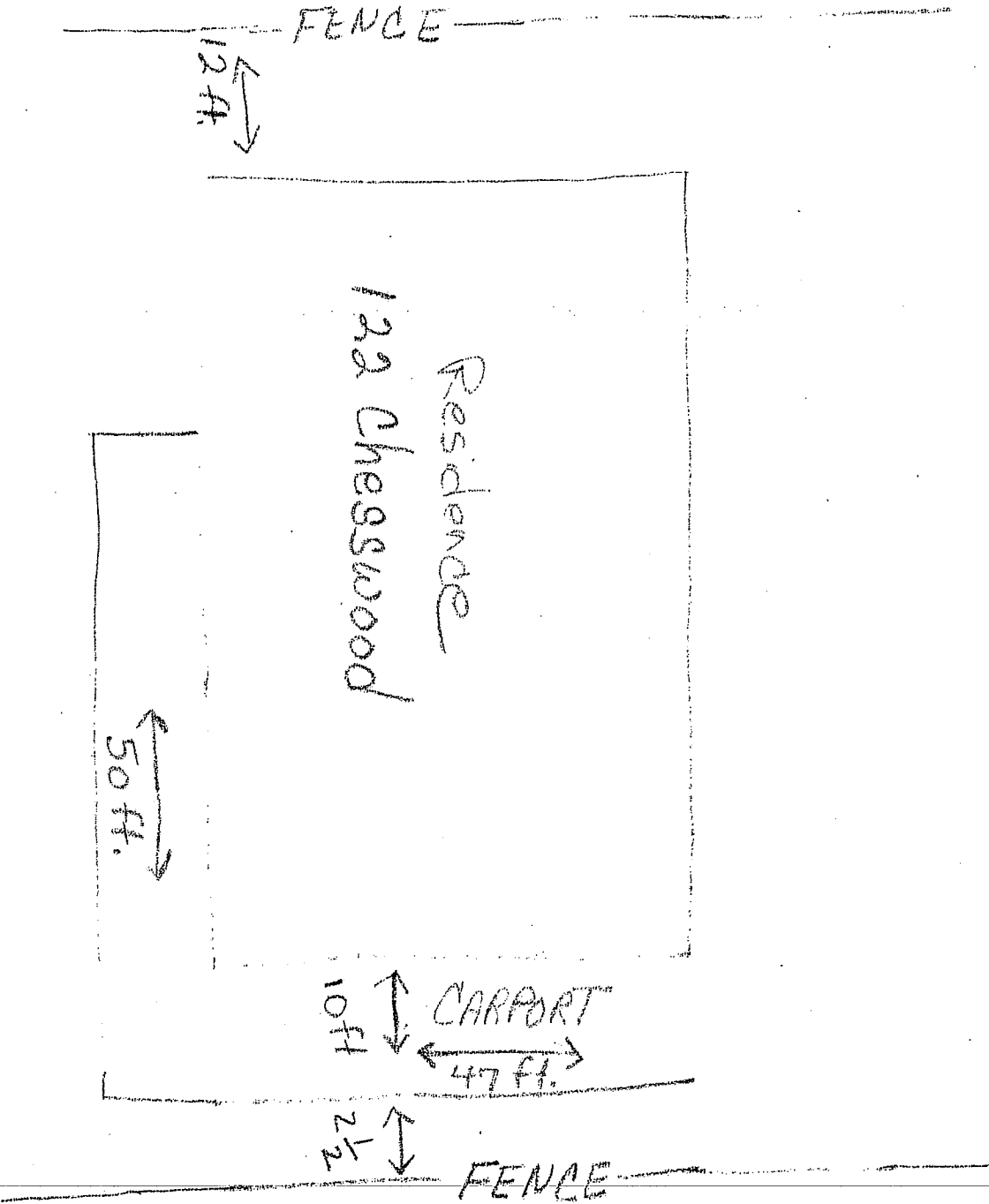
Deny Request X

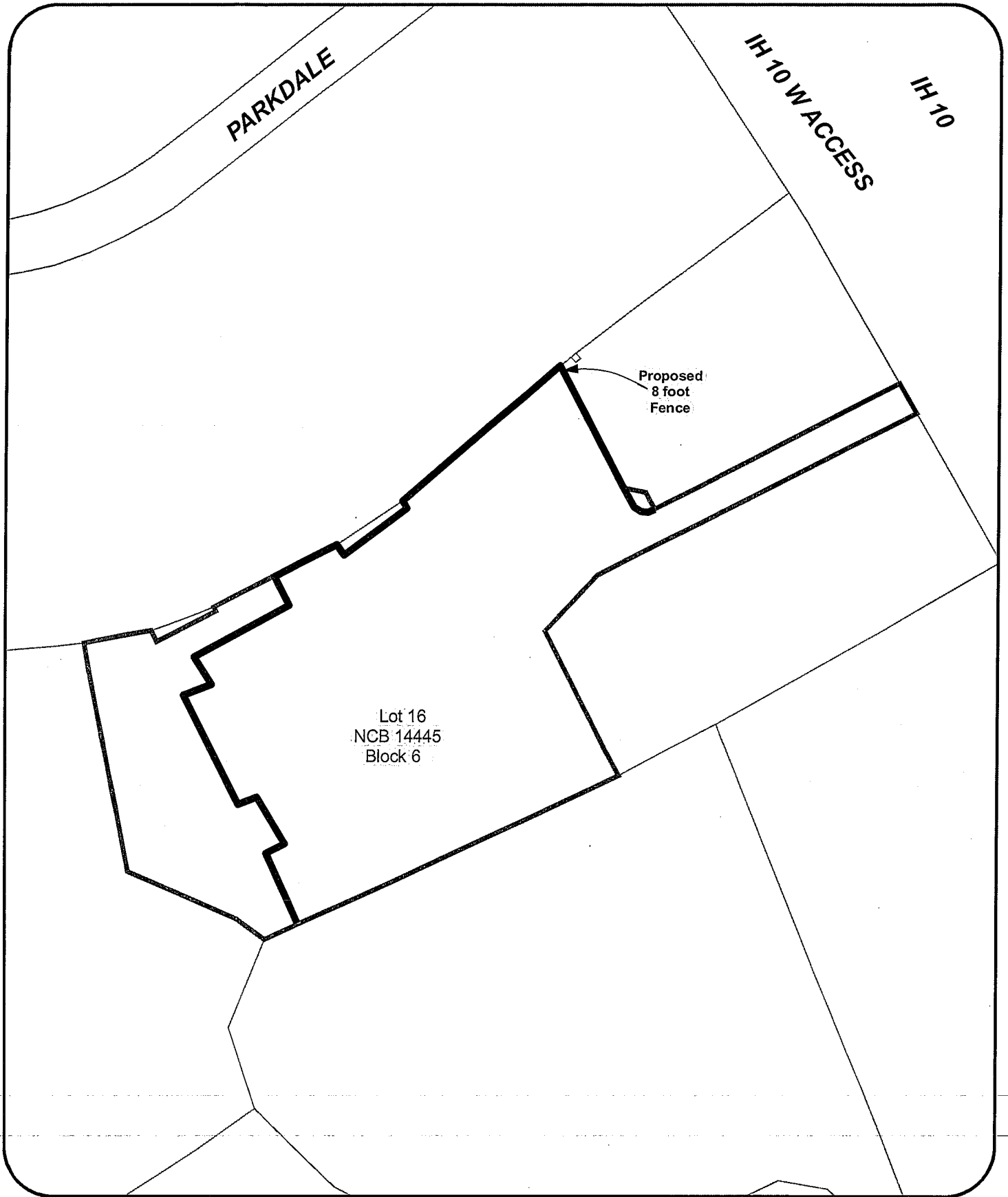
REVIEWER INFORMATION

Neighborhood Planner Reviewing: Lauren Edlund, Planner

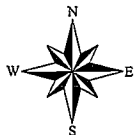
Date Review Completed: August 8, 2008

Ruben A. + Sylvia M. Bernones
122 Chesswood
S.A. TX 78228





Board of Adjustment
Plot Plan for
Case A-08-086



Scale: 1" approx. = 120'
Council District 8

9350 IH 10 W

Produced by the City of San Antonio
Development Services Department
(08/06/2008)

Board of Adjustment - Case No. A-08-086

September 15, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, September 15, 2008** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant- Candlewood Suites

Lot 16, Block 6, NCB 14445

9350 IH 10 West

Zoned: "C-3" General Commercial District and "C-2" Commercial District

The applicant is requesting a 2-foot variance from the requirement that fences in side and rear yards be no taller than 6 feet in height, in order to erect an 8-foot tall side and rear-yard fence.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Mike Farber at 207-3074 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

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If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.

Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

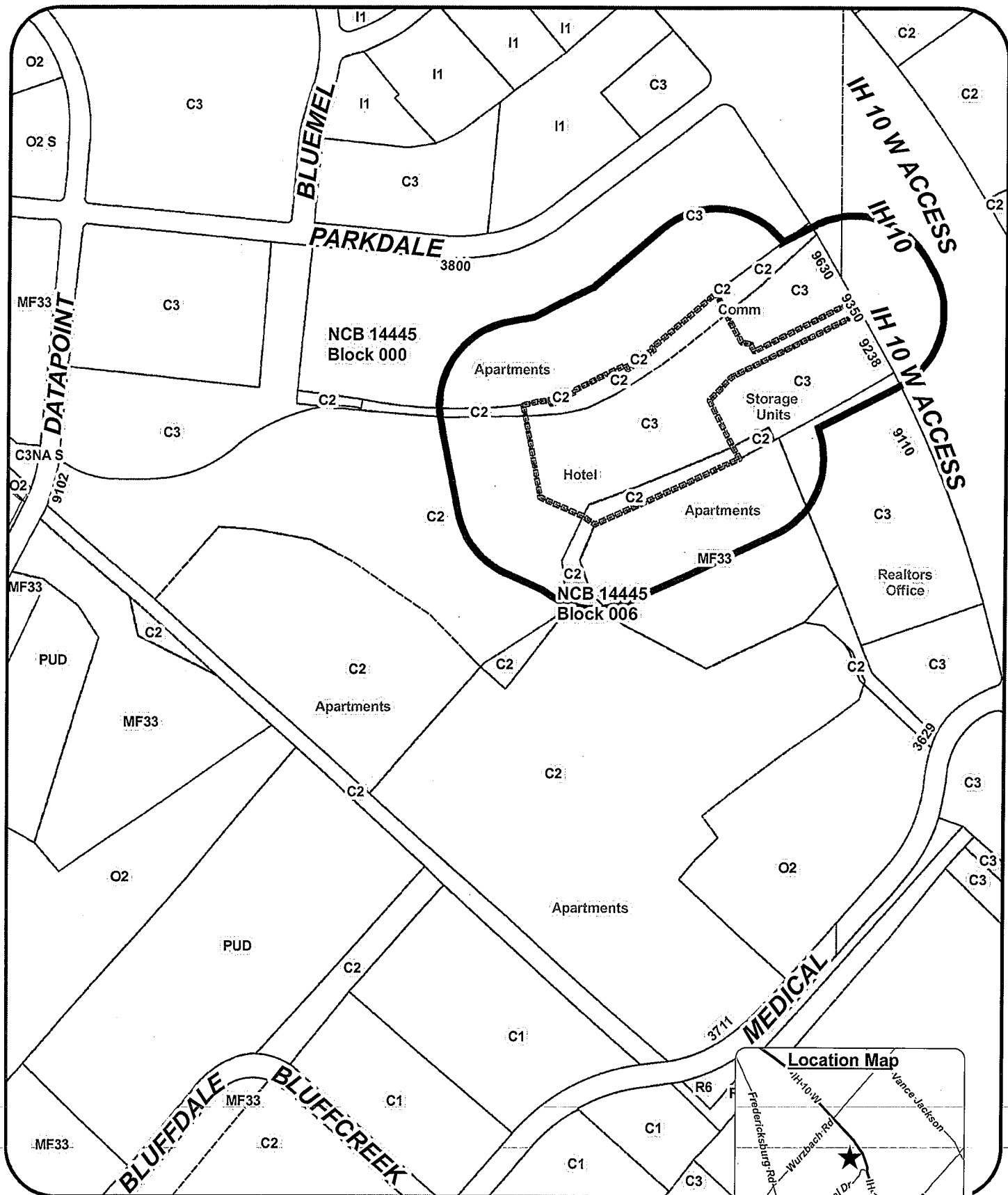
Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor

() In Opposition/En Oposicion

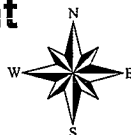
Comments/Comentarios: _____

A-08-086



Board of Adjustment

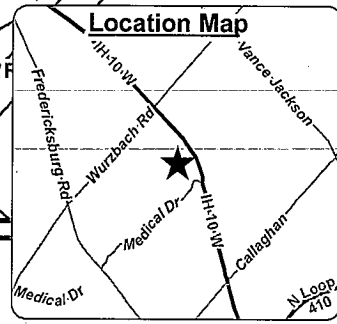
Notification Plan for Case A-08-086



Legend

Subject Property
200' Notification Buffer

Scale: 1" approx. = 300'
Council District 8



Produced by the City of San Antonio
Development Services Department
(08/06/2008)

CASE NO: A-08-086

Board of Adjustment – August 18, 2008

Applicant: Candlewood Suites
Owner: HPT TRS IHG-1, Inc.
Request(s): The applicant is requesting a 2-foot variance from the requirement that fences in side and rear yards be no taller than 6 feet in height, in order to erect an 8-foot tall side and rear-yard fence.
Legal Description: Lot 16, Block 6, NCB 14445
Address: 9350 IH 10 West
Zoning: "C-3" General Commercial District and "C-2" Commercial District
Existing Use: Hotel
Neigh. Assoc: None
Neigh. Plan: None

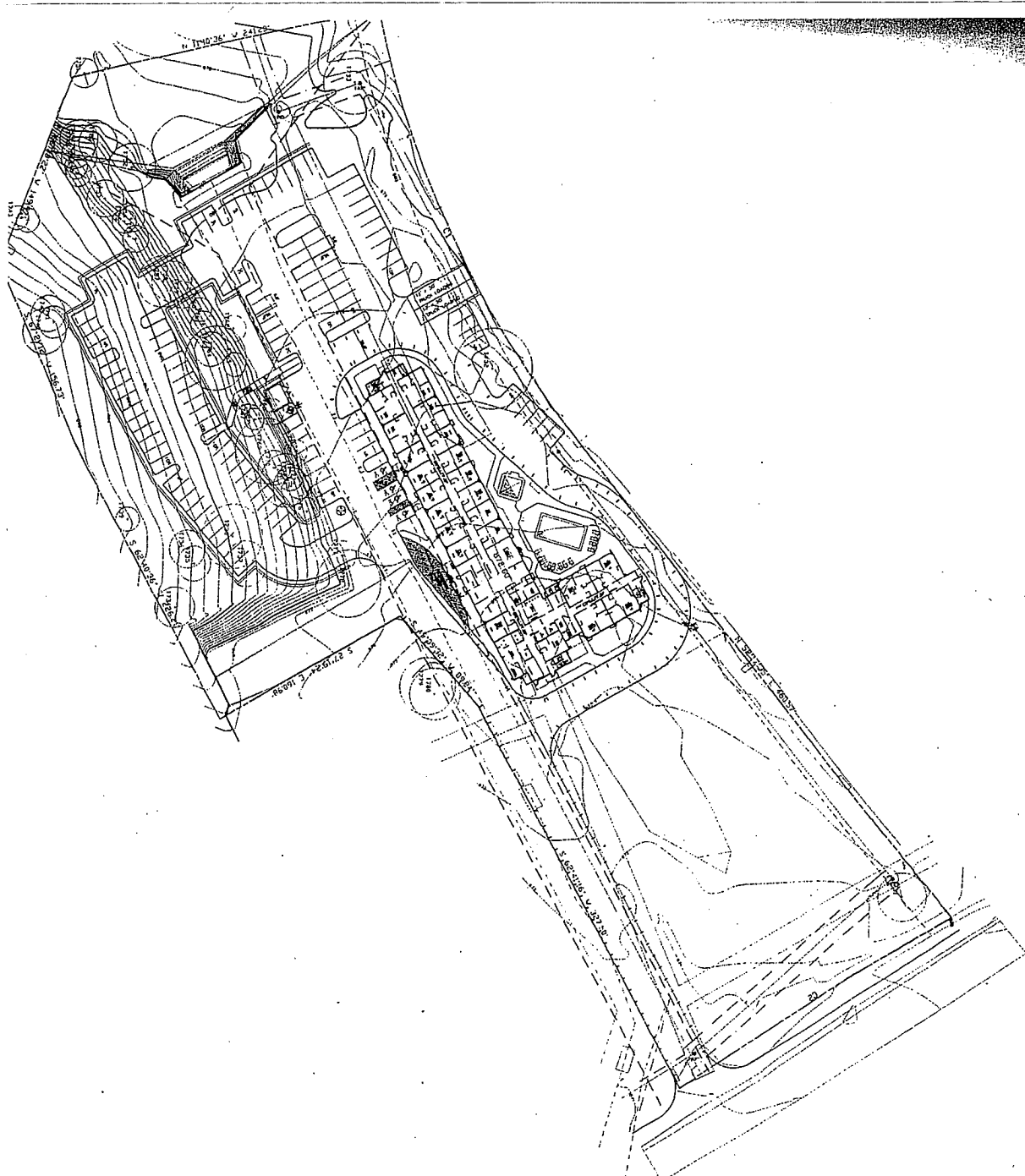
Section of the City Code from which this variance is requested:

35-514 Fences: The maximum height for a side and rear-yard fences shall not exceed 6 feet in height.

Background: The subject property is located just off of IH 10 West, north of Loop 410. The property is split zoned C-2 and C-3, with the majority of the property zoned C-3. The subject property is surrounded entirely by commercial zoning and uses, save the property to the immediate south, which is zoned MF-33 and is occupied by an apartment complex. An additional apartment complex site to the immediate north of the subject property and is zoned C-3. The applicant is seeking a variance from the side and rear fence height requirements in order to erect an 8 foot tall fence along the side and rear property lines. The applicant has sited multiple break-ins and vandalism as rationale for the variance request.

Recommendation: The intent of the maximum fence height requirement in side and rear yards is to allow property owners to screen and secure their property while also maintaining openness, air flow, light penetration, neighborhood uniformity and safe visual clearance. The request for an eight-foot tall fence in the side and rear yards of this property is unique in that, while there appear to be no special features or physical or topographic conditions where literal enforcement of the fence height standards would result in an unnecessary hardship, there are other considerations that may make this request reasonable, such as the evidence supplied that indicates multiple break-ins onto the property. Considering the intent of the fence height standards, it appears this request may be acceptable given the circumstances under which this variance was requested. Additionally, Staff believes that the addition of an 8-foot tall fence would do little to detract from the neighborhood character, uniformity, and general pedestrian friendliness being that there is an overall commercial atmosphere in the immediate area. Staff therefore recommends **approval** of the fence height variance request.

Case Manager: Mike Farber, Planner (210) 207-3074



SCALE: 1" = 40'

LEGEND

- Building Footprint
- Existing ground lines
- New ground lines
- Easement
- Survey Station

3 Foot
Fore
Location

PLANNO	REVISION	DATE
104	107	
108	109	
110	111	
112	113	

PERMANENT COVER	
Asphalt	1.50
Concrete	1.50
Gravel	0.50
Grass	0.50
Other	0.50

BUILDING TABLE	
Room Area	1,517.68
Room Area	1,517.68
Room Area	1,517.68
Room Area	1,517.68
Room Area	1,517.68

SITE
PLAN

CANDLEWOOD HOTEL
SAN ANTONIO, TEXAS

NO.	BY	DATE	REVISION

PROJECT NO. 1275-7774-63 DESIGNED BY: TMS / BB
 FILE NO. 7774SITE.OWG DRAWN BY: TMS
 DATE: OCTOBER 13, 1997 CHECKED BY: SKC
 SCALE: 1" = 40' REVISED BY:

 GRAY & JANSING & ASSOCIATES, INC.
 Consulting Engineers
 8217 Shoal Creek Blvd., Suite 200
 Austin, Texas 78757-7592
 (512)452-0371 FAX(512)541-9233

Border Construction Services

15943 Bulverde Rd.
San Antonio, TX 78247
210.497.3739
210.497.3880 fax

Estimate

Date	Estimate #
4/14/2008	1698

Name/Address

Candlewood Suites
Jacqueline Chavez
9350 IH-10 West
San Antonio TX 78230
615.0550

Rep**JF**

Description	Rate	Total
Install 875ft. of 1x4x8 cedar privacy fence w/ 2 3/8" galvanized steel posts set in concrete every 7 1/2' on center and 3- 2x4 treated pine rails. Price includes all labor and materials to complete the proposed work.	23.50	20,562.50
Removal and Disposal of existing fence	2.00	1,600.00
Hard Dig Charge (only charged if a jack-hammer or rock drill is needed to complete any post holes) Est. 115 holes @ 9.00 each	9.00	1,035.00
Charge obtaining City Building Permit	150.00	150.00

Total**\$23,347.50**

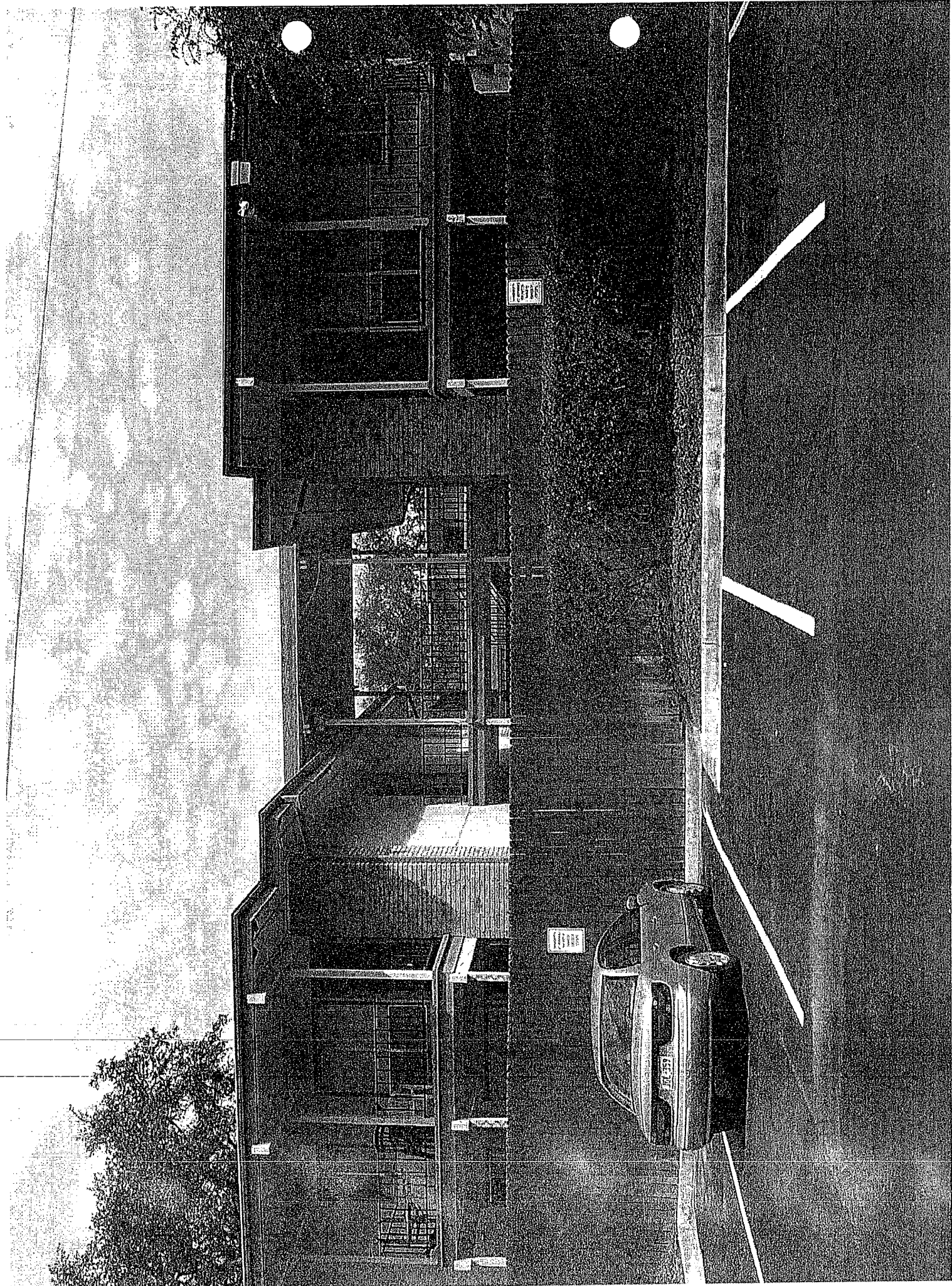
Border Construction Services (BCS) will in no way assume responsibility concerning property lines or guarantee their accuracy. Any permits required by law are the sole responsibility of and will be provided by the customer prior to the start of construction. BCS will assume no liability for any injury from misuse such as climbing, scaling under passage, or other activities related to this installation. BCS assumes no responsibility for unmarked sprinkler lines, or any other unmarked buried lines or object. The customer will assume all liability for any damage caused by directing BCS, its employees, and/or subcontractors to dig in the vicinity of utilities. All materials will remain the property of BCS until all invoices pertaining to this job are paid in full. Any change orders made by customer, not included in the total, will be charged upon completion of the job. Final billing is based upon the amount of work executed and/or additional materials installed upon completion of the job.

Signature











OLMOS

Lot 37
NCB 8564
Block 000

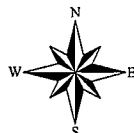
Existing
Building

Required 30'
Rear
Setback

Requested to
Remove Rear
Setback

Board of Adjustment

Plot Plan for
Case A-08-087



Scale: 1" approx. = 20'
Council District 1

210 W Olmos

Produced by the City of San Antonio
Development Services Department
(08/06/2008)

Board of Adjustment - Case No. A-08-087

August 18, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, August 18, 2008** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant - LHS III Property Two, LLC
Lot 37 and the East 35.72 feet of Lot 36, NCB 8564
210 West Olmos Drive
Zoned: "C-2" Commercial District

The applicant is requesting a 30-foot variance from the Unified Development Code standard that a minimum 30-foot setback be maintained in C-2 zoning districts, when abutting residential uses or zoning districts, in order to erect a structure along the rear property line.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Jacob Floyd at 207-8318 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.

Whether or not you attend this public hearing, please complete and return the cut-out portion below to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.

If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.

Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

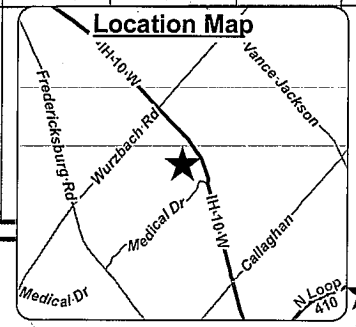
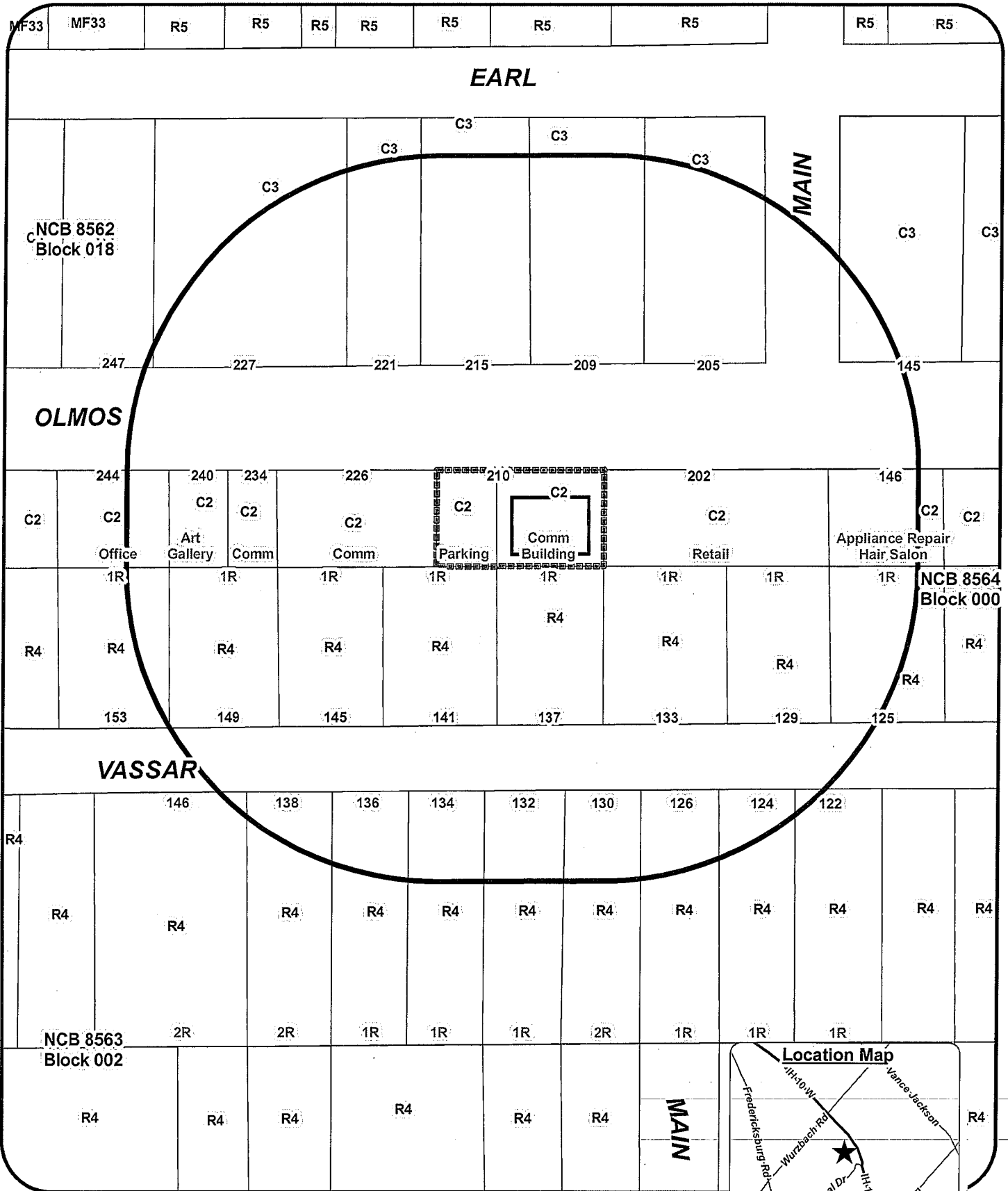
Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor

() In Opposition/En Oposicion


Comments/Comentarios: _____

A-08-087



Board of Adjustment
Notification Plan for
Case A-08-087



Legend
 Subject Property 
 200' Notification Buffer 

Scale: 1" approx. = 80'
 Council District 1

Produced by the City of San Antonio
 Development Services Department
 (08/08/2008)

CASE NO: A-08-087

Board of Adjustment – August 18, 2008

Applicant: LHS III Property Two, LLC

Owner: LHS III Property Two, LLC

Request(s): The applicant is requesting a 30 foot variance from the Unified Development Code standard that a minimum 30-foot setback be maintained in C-2 zoning districts, when abutting residential uses or zoning districts, in order to erect a structure along the rear property line.

Legal Description: Lot 37 and the East 35.72 feet of Lot 36, NCB 8564

Address: 210 West Olmos Drive

Zoning: "C-2" Commercial District

Existing Use: Vacant Commercial Structure

Neigh. Assoc: None

Neigh. Plan: North Central Neighborhood Plan

Section of the City Code from which this variance is requested:

35-310 Zoning District Purpose Statements and Design Regulations: A minimum 30-foot rear setback is required in "C-2" zoning districts when abutting residential zoning districts or uses.

Background: The subject property is situated along West Olmos Drive west of North Main Avenue and east of Howard Street. The surrounding area is made up of commercially zoned properties along both sides of West Olmos Drive; a residential neighborhood to the south; and industrial zoned properties to the southwest. The City of Olmos Park is just to the east of the subject site. The applicant is requesting the variance to place an office building improvement of 2,700-3,300 square feet on the property, up to the rear property line. An existing structure is currently 8 feet away from the rear property line.

Recommendation: The intent of the rear setback requirement for commercial districts is to provide a reasonable buffer to protect abutting residences from the noise, light, and traffic typically generated by commercial uses, to allow for air flow and light penetration, and to prevent the overcrowding of lots. The depth of the subject property is such that it would be difficult to situate a reasonably sized building meeting the required setbacks, while still providing adequate parking. However, the complete elimination of the rear setback is not justified, as staff feels that it would impose undue hardship on the residential properties abutting to the rear. An alternative approach would be to erect the proposed structure in line with the neighboring commercial structures, which currently sit approximately 4 feet 6 inches from the rear property lines. Staff recommends **denial** of the requested variance.

Case Manager: Jacob Floyd, Planner (210) 207-8318

**NEIGHBORHOOD AND URBAN DESIGN DIVISION
BOARD OF ADJUSTMENT CASE REVIEW FORM**

CASE INFORMATION

Case #: **A-08-087**

Property Address: 210 W Olmos

Zoning: C2

Hearing Date: 08/18/08

Type / Scope of BOA Request:

A variance to place an office building improvement of 2700-3300 square feet within setbacks and up to North, South and West property lines.

PLANNING PROGRAM / PROJECT OVERLAP

Neighborhood Association(s): None

Neighborhood or Community Plan: North Central Community Plan

Neighborhood Conservation District: n/a

Corridor Overlay District (name or n/a): n/a

ANALYSIS STATEMENT

The subject parcel is designated Public/Institutional land use in the North Central Community Land Use Plan. Public/Institutional land use provides for public, quasi-public, utility company and institutional uses. Surrounding parcels on the Land Use Map are designated Neighborhood Commercial to the north, east and west and Low Density Residential to the south.

The allowance of the variance would not be damaging to the land use plan for this area and would be in keeping with intent of the plan. Goal 5 of the North Central Community plan states that "future development that is compatible with existing neighborhoods" should be promoted (pg. 37). The proposed variance would be keeping with the existing pattern of structures along W Olmos. The proposed building is situated on an irregular lot due to its size, which appears to present a geographical constraint to meeting UDC setback requirements.

RECOMMENDATION

Recommendation Pending Additional Analysis / Information _____

Support Request X

Deny Request _____

REVIEWER INFORMATION

Neighborhood Planner Reviewing: Lauren Edlund, Planner

Date Review Completed: August 8, 2008

COMMERCE

Requested 10'
Front Setback

Required 30'
Front Setback

Proposed
Canopy

Existing
Building

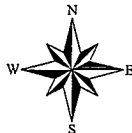
Lot - 5
NCB - 2309
Block - 004

SMITH

FELAN

Board of Adjustment

**Plot Plan for
Case A-08-088**



Scale: 1" approx. = 30'
Council District 5

1602 W Commerce

Produced by the City of San Antonio
Development Services Department
(08/6/2008)

Board of Adjustment - Case No. A-08-088

August 18, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, August 18, 2008** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant - Salvador Cardenas
Lot 5, Block 4, NCB 2309 "Lakhahi Subdivision"
1602 West Commerce Street
Zoned: "I-1" General Industrial District

The applicant is requesting a 20-foot variance from the Unified Development Code standard that a minimum 30-foot front setback be maintained in I-1 zoning districts in order to erect a structure 10 feet from the front property line.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Jacob Floyd at 207-8318 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

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Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.

Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

() In Favor/A Favor

() In Opposition/En Oposicion

Comments/Comentarios: _____

A-08-088

CASE NO: A-08-088

Board of Adjustment – August 18, 2008

Applicant: Salvador Cardenas

Owner: West Commerce Real Estate, LLC

Request(s): The applicant is requesting a 20-foot variance from the Unified Development Code standard that a minimum 30-foot front setback be maintained in I-1 zoning districts in order to erect a structure 10 feet from the front property line.

Legal Description: Lot 5, Block 4, NCB 2309 "Lakhahi Subdivision"

Address: 1602 West Commerce Street

Zoning: "I-1" General Industrial District

Existing Use: Commercial Structure

Neigh. Assoc: None

Neigh. Plan: None

Section of the City Code from which this variance is requested:

35-310 Zoning District Purpose Statements and Design Regulations: A minimum 30-foot front setback is required in "I-1" zoning districts.

Background: The subject property is situated on the southwest corner of the intersection of West Commerce and South Smith Streets. The site is surrounded on the north, east and west by industrially zoned properties that are occupied by a mix of commercial and residential uses. Properties zoned commercial, but occupied by residential uses, lie to the southeast. The applicant is requesting a variance in order to erect a 22-foot by 60-foot canopy over the gasoline pumps at their current location. The applicant has indicated the canopy would provide protection to customers from sun and rain and provide better lighting at night.

This request was previously considered by the Board of Adjustment on August 20, 2007 (case A-07-084). The request was approved at that time by a vote of 11 in favor, 0 opposed. However, no action was taken within the 6 month period in which construction must begin, resulting in the expiration of the granted variance. The present request is a result of that expiration.

Recommendation: The intent of the front setback requirement in industrial districts is to provide a reasonable buffer between the public right-of-way and industrial uses, to allow for air flow and light penetration, and to prevent the overcrowding of lots. The immediate vicinity is characterized by a mixture of commercial uses with varying front setbacks, some even extending to the front property line. In view of this, and the fact that this segment of Commerce Street is one-way west bound, it appears that the proposed canopy being situated 10 feet from the front property line would not conflict with the streetscape for this corner lot. Staff recommends **approval** of the requested variance.

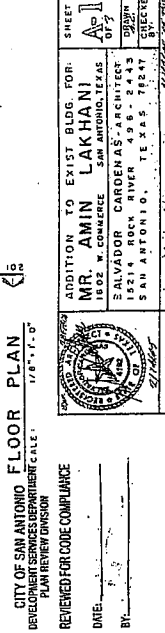
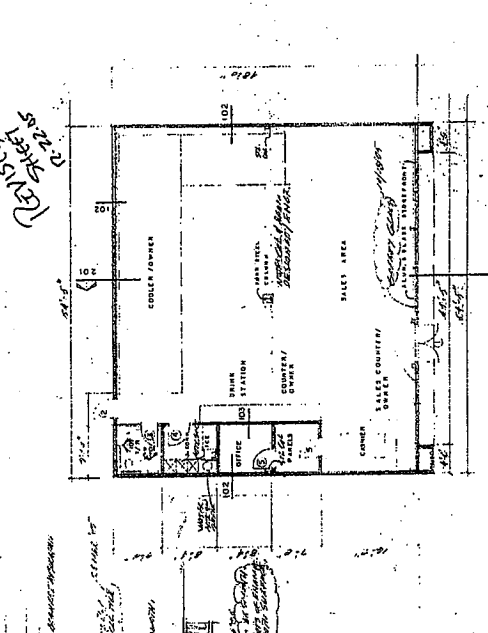
Case Manager: Jacob Floyd, Planner (210) 207-8318

DOOR SCHEDULE			
NO.	SIZE	TYPE	REMARKS
1	4'0" x 7'0"	SWING	EXISTING
2	12'0" x 10'0"	GLASS	NEW
3	6'0" x 7'0"	GLASS	NEW
4	6'0" x 7'0"	GLASS	NEW
5	6'0" x 7'0"	GLASS	NEW
6	6'0" x 7'0"	GLASS	NEW
7	6'0" x 7'0"	GLASS	NEW
8	6'0" x 7'0"	GLASS	NEW
9	6'0" x 7'0"	GLASS	NEW
10	6'0" x 7'0"	GLASS	NEW

TYP. SIDEWALK

GENERAL NOTES:

1. ALL SIDEWALKS SHALL BE CONCRETE, 4" THICK, WITH REINFORCING BARS AT 18" ON CENTER.
2. ALL SIDEWALKS SHALL BE FINISHED WITH A 1/2" THICK LAYER OF 1/2" SAND ON TOP OF THE CONCRETE.
3. ALL SIDEWALKS SHALL BE FINISHED WITH A 1/2" THICK LAYER OF 1/2" SAND ON TOP OF THE CONCRETE.
4. ALL SIDEWALKS SHALL BE FINISHED WITH A 1/2" THICK LAYER OF 1/2" SAND ON TOP OF THE CONCRETE.
5. ALL SIDEWALKS SHALL BE FINISHED WITH A 1/2" THICK LAYER OF 1/2" SAND ON TOP OF THE CONCRETE.
6. ALL SIDEWALKS SHALL BE FINISHED WITH A 1/2" THICK LAYER OF 1/2" SAND ON TOP OF THE CONCRETE.
7. ALL SIDEWALKS SHALL BE FINISHED WITH A 1/2" THICK LAYER OF 1/2" SAND ON TOP OF THE CONCRETE.
8. ALL SIDEWALKS SHALL BE FINISHED WITH A 1/2" THICK LAYER OF 1/2" SAND ON TOP OF THE CONCRETE.
9. ALL SIDEWALKS SHALL BE FINISHED WITH A 1/2" THICK LAYER OF 1/2" SAND ON TOP OF THE CONCRETE.
10. ALL SIDEWALKS SHALL BE FINISHED WITH A 1/2" THICK LAYER OF 1/2" SAND ON TOP OF THE CONCRETE.



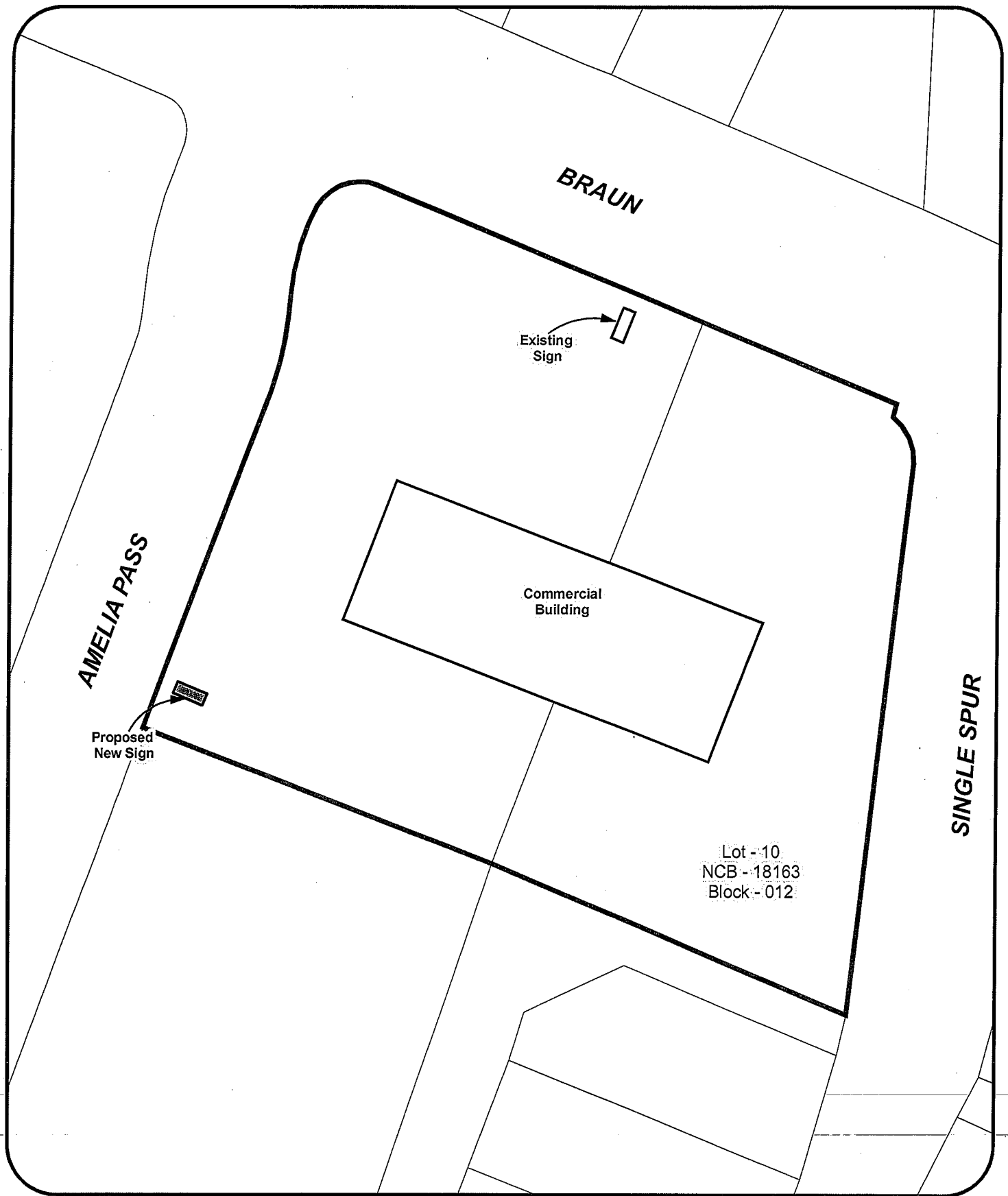
CITY OF SAN ANTONIO
DEVELOPMENT SERVICES DEPARTMENT
PLAN REVIEW DIVISION
REVIEWED FOR CODE COMPLIANCE

DRAWN BY: [Signature]
DATE: [Date]

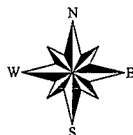
ADDITION TO EXIST. BLDG. FOR:
MR. AMIN LAKHANI
1802 W. COMMERCE
SAN ANTONIO, TEXAS
DESIGNED BY:
SALVADOR CARDENAS, ARCHITECT
15214 ROCK RIVER 498-2443
SAN ANTONIO, TEXAS 78241
CHECKED BY:
[Signature]
DATE: [Date]

SITE PLAN
SCALE: 1" = 10'
LOTS 1 & 2, BLOCK 4, MCB. 2309

PLAN TYP. CONC. DRIVE
M.T.S.



Board of Adjustment
Plot Plan for
Case A-08-090



Scale: 1" approx. = 50'
Council District 7

9820 Braun Rd

Produced by the City of San Antonio
Development Services Department
(08/6/2008)

Board of Adjustment - Case No. A-08-090

August 18, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, August 18, 2008** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant- M and M Orthodontics
Lot 10, Block 12, NCB 18163
9820 Braun Road
Zoned: "C-3" General Commercial District

The applicant is requesting a 35-foot variance from the requirement that on-premise signs be at least 150 feet apart, in order to install an on-premise non-conforming sign that lacks the necessary spacing between on-premise signs.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Mike Farber at 207-3074 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

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Address/Direccion: _____

Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

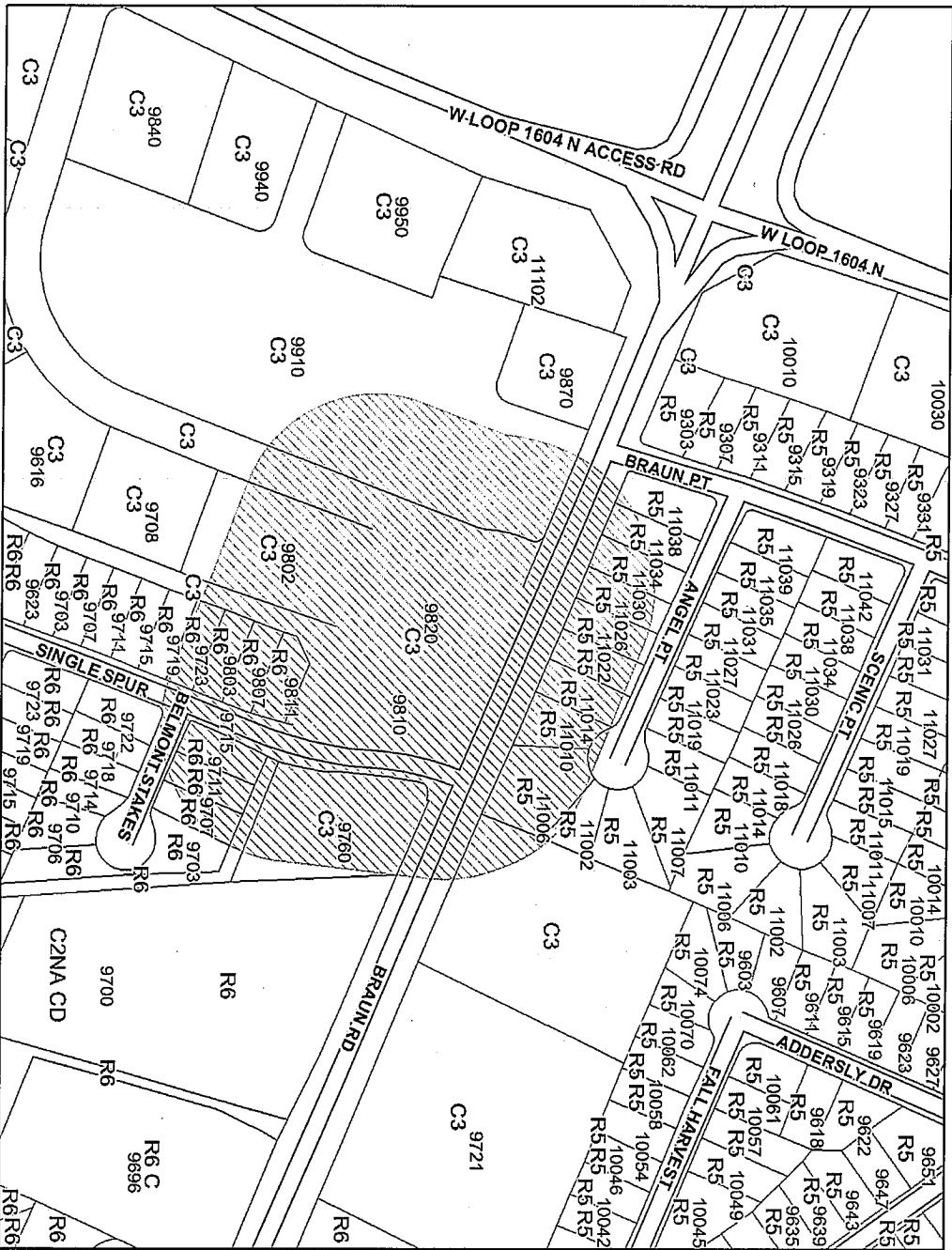
() In Favor/A Favor

() In Opposition/En Oposicion

Comments/Comentarios: _____

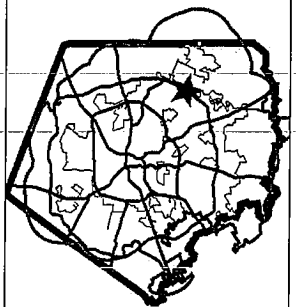
A-08-090

Internet Mapping Framework



Map center: 2070407, 13742211

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.



Legend

- ☐ Parcels
- ☐ Lakes
- ☐ Military Bases
- ☐ San Antonio City Limits
- ☐ Bexar County
- ☐ Bexar County
- ☐ Incorporated Towns
- ☐ Bexar Streets
- ☐ Parcel Addresses
- ☐ Zoning



Scale: 1:3,000

CASE NO: A-08-090

Board of Adjustment – August 18, 2008

Applicant: M&M Orthodontics

Owner: M&M Orthodontics

Request(s): The applicant is requesting a 35-foot variance from the requirement that on-premise freestanding signs be spaced a minimum of 150 feet apart, in order to install an on-premise sign 115 feet from an existing freestanding on-premise sign.

Legal Description: Lot 10, Block 12, NCB 18163

Address: 9820 Braun Road

Zoning: "C-3" General Commercial District

Existing Use: Vacant

Neigh. Assoc: None

Neigh. Plan: None

Section of the City Code from which this variance is requested:

Section 28-241 Provisions applicable to nonresidential zoning districts: Additional freestanding signs are permitted with a minimum spacing of every one hundred fifty (150) linear feet.

Background: The subject property is located on Braun Road, just south of Loop 1604. The subject property is bound by Single Spur to the east. An established single-family neighborhood zoned "R-5" sits to the north of the subject property. Commercial zoning and uses exist to the west and immediate east. Another single-family neighborhood sits to the south of the subject property, and is zoned "R-6". The applicant is requesting a variance to the spacing requirements between on-premise freestanding signs in an effort to preserve a large oak tree and to maintain adequate signage for the development. Because one freestanding sign has already been installed along Braun Road, the spacing requirement would create a situation in which the owner would either need to remove the large oak tree or would require that the existing freestanding sign be relocated to allow for adequate spacing between the two signs.

Recommendation: The granting of this variance would give the property owner the ability to keep the tree that is in line with the allowable sign location. Also, the granting of this variance would allow the existing sign to maintain its proposed location. All signs within this development are incorporated in an existing Sign Master Plan agreement that exhibits a significant reduction in overall sign heights and area. Therefore, Staff is recommending **approval** of the proposed variance.

Case Manager: David Simpson, Chief Sign Inspector (210) 207-8289

BRAUN POINTE SUBDIVISION

LOT 10 (1.407 ACRES) AND A 0.0070 ACRES INTEREST IN THE CITY OF SAN ANTONIO, BEAR COUNTY, TEXAS, THIS PLAT BEING THE PLAT PREVIOUSLY RECORDED AS BRAUN POINTE SUBDIVISION VOLUME 9573, PAGE 180.

AMENDMENT NOTE:

- FOR SECTION 35-141 AMENDING PLANS
1. BASED ON A MAP TO THE TRANSFER OF THE PROPERTY, THE PLAT OF THE PROPERTY OF THE CITY OF SAN ANTONIO, BEAR COUNTY, TEXAS, THIS PLAT BEING THE PLAT PREVIOUSLY RECORDED AS BRAUN POINTE SUBDIVISION VOLUME 9573, PAGE 180.
 2. THE AMENDMENT DOES NOT AFFECT THE PROPERTY OF THE CITY OF SAN ANTONIO, BEAR COUNTY, TEXAS, THIS PLAT BEING THE PLAT PREVIOUSLY RECORDED AS BRAUN POINTE SUBDIVISION VOLUME 9573, PAGE 180.
 3. THE AMENDMENT DOES NOT AFFECT THE PROPERTY OF THE CITY OF SAN ANTONIO, BEAR COUNTY, TEXAS, THIS PLAT BEING THE PLAT PREVIOUSLY RECORDED AS BRAUN POINTE SUBDIVISION VOLUME 9573, PAGE 180.
 4. THE AMENDMENT DOES NOT AFFECT THE PROPERTY OF THE CITY OF SAN ANTONIO, BEAR COUNTY, TEXAS, THIS PLAT BEING THE PLAT PREVIOUSLY RECORDED AS BRAUN POINTE SUBDIVISION VOLUME 9573, PAGE 180.
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 7. THE AMENDMENT DOES NOT AFFECT THE PROPERTY OF THE CITY OF SAN ANTONIO, BEAR COUNTY, TEXAS, THIS PLAT BEING THE PLAT PREVIOUSLY RECORDED AS BRAUN POINTE SUBDIVISION VOLUME 9573, PAGE 180.
 8. THE AMENDMENT DOES NOT AFFECT THE PROPERTY OF THE CITY OF SAN ANTONIO, BEAR COUNTY, TEXAS, THIS PLAT BEING THE PLAT PREVIOUSLY RECORDED AS BRAUN POINTE SUBDIVISION VOLUME 9573, PAGE 180.
 9. THE AMENDMENT DOES NOT AFFECT THE PROPERTY OF THE CITY OF SAN ANTONIO, BEAR COUNTY, TEXAS, THIS PLAT BEING THE PLAT PREVIOUSLY RECORDED AS BRAUN POINTE SUBDIVISION VOLUME 9573, PAGE 180.
 10. THE AMENDMENT DOES NOT AFFECT THE PROPERTY OF THE CITY OF SAN ANTONIO, BEAR COUNTY, TEXAS, THIS PLAT BEING THE PLAT PREVIOUSLY RECORDED AS BRAUN POINTE SUBDIVISION VOLUME 9573, PAGE 180.

- THE AMENDMENTS ARE AS FOLLOWS:
1. REMOVE A COMMON LOT LUG AS FOR SECTION 35-141-0111.
 2. ADD AN INTERESTEDNESS EXCEPT AS FOR SECTION 35-141-0111.

GENERAL NOTES:

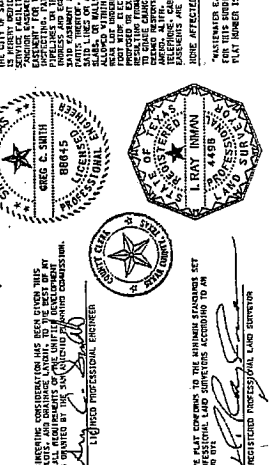
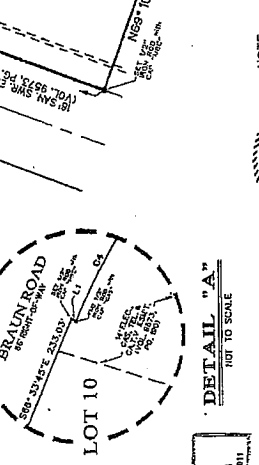
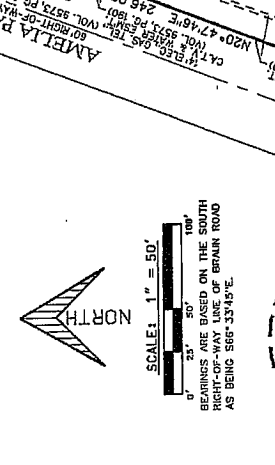
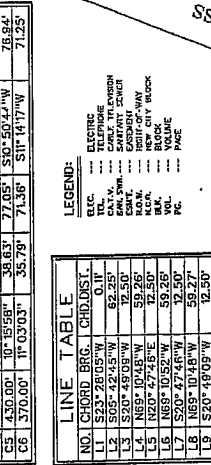
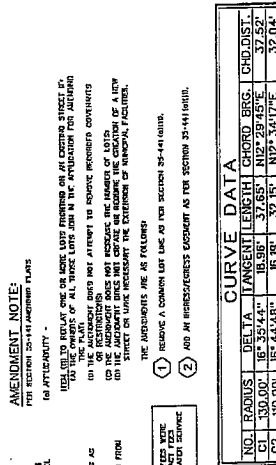
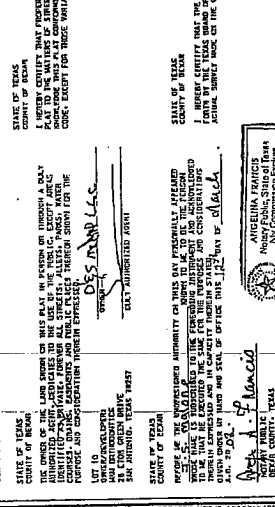
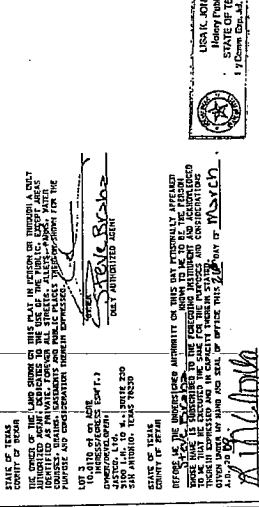
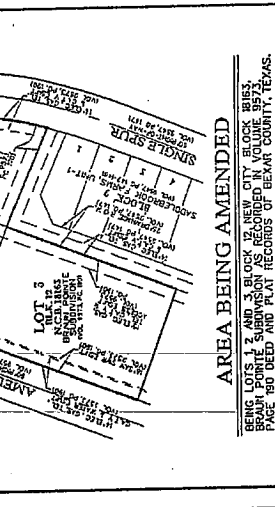
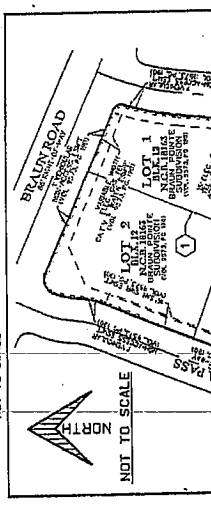
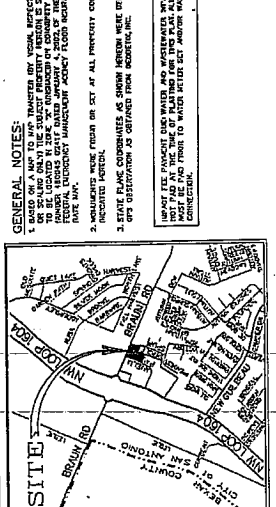
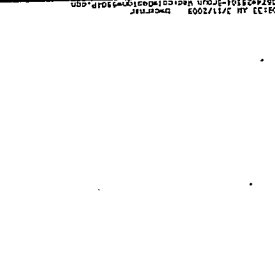
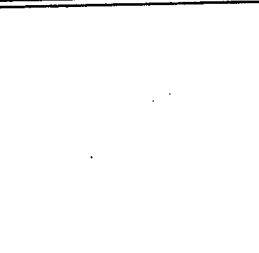
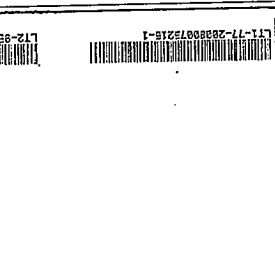
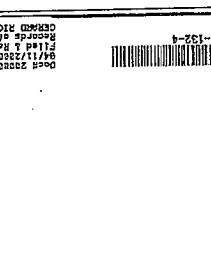
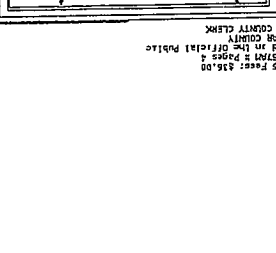
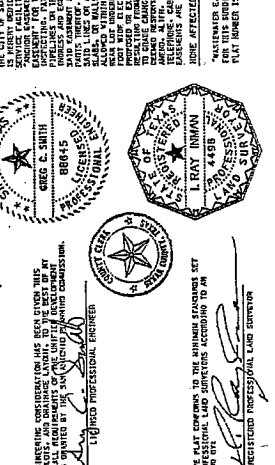
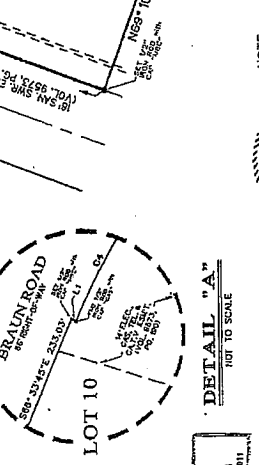
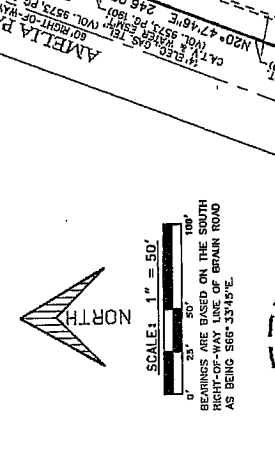
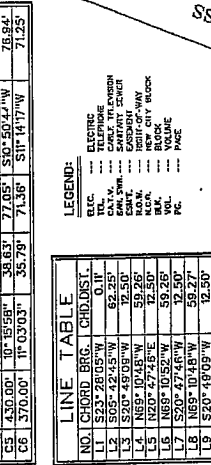
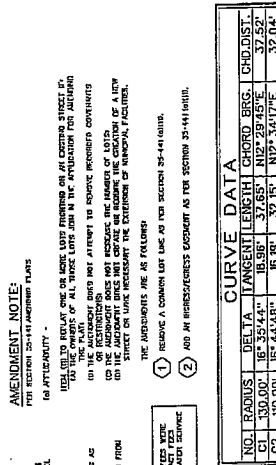
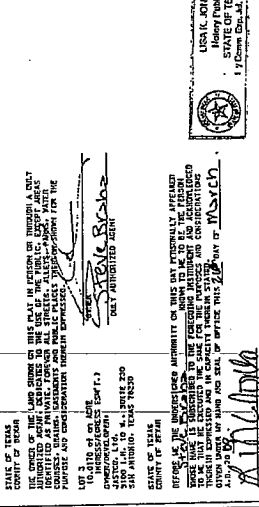
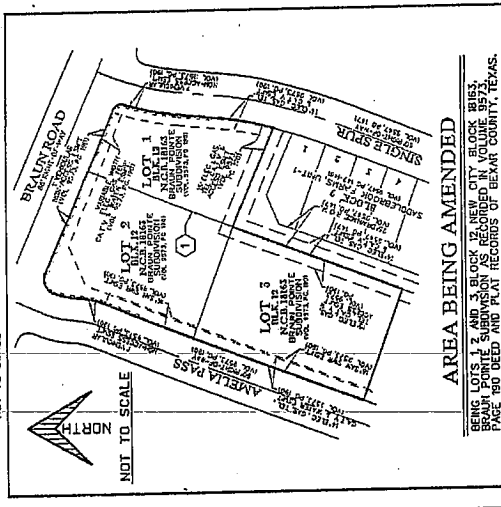
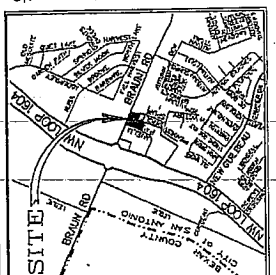
1. BASED ON A MAP TO THE TRANSFER OF THE PROPERTY, THE PLAT OF THE PROPERTY OF THE CITY OF SAN ANTONIO, BEAR COUNTY, TEXAS, THIS PLAT BEING THE PLAT PREVIOUSLY RECORDED AS BRAUN POINTE SUBDIVISION VOLUME 9573, PAGE 180.
2. THE AMENDMENT DOES NOT AFFECT THE PROPERTY OF THE CITY OF SAN ANTONIO, BEAR COUNTY, TEXAS, THIS PLAT BEING THE PLAT PREVIOUSLY RECORDED AS BRAUN POINTE SUBDIVISION VOLUME 9573, PAGE 180.
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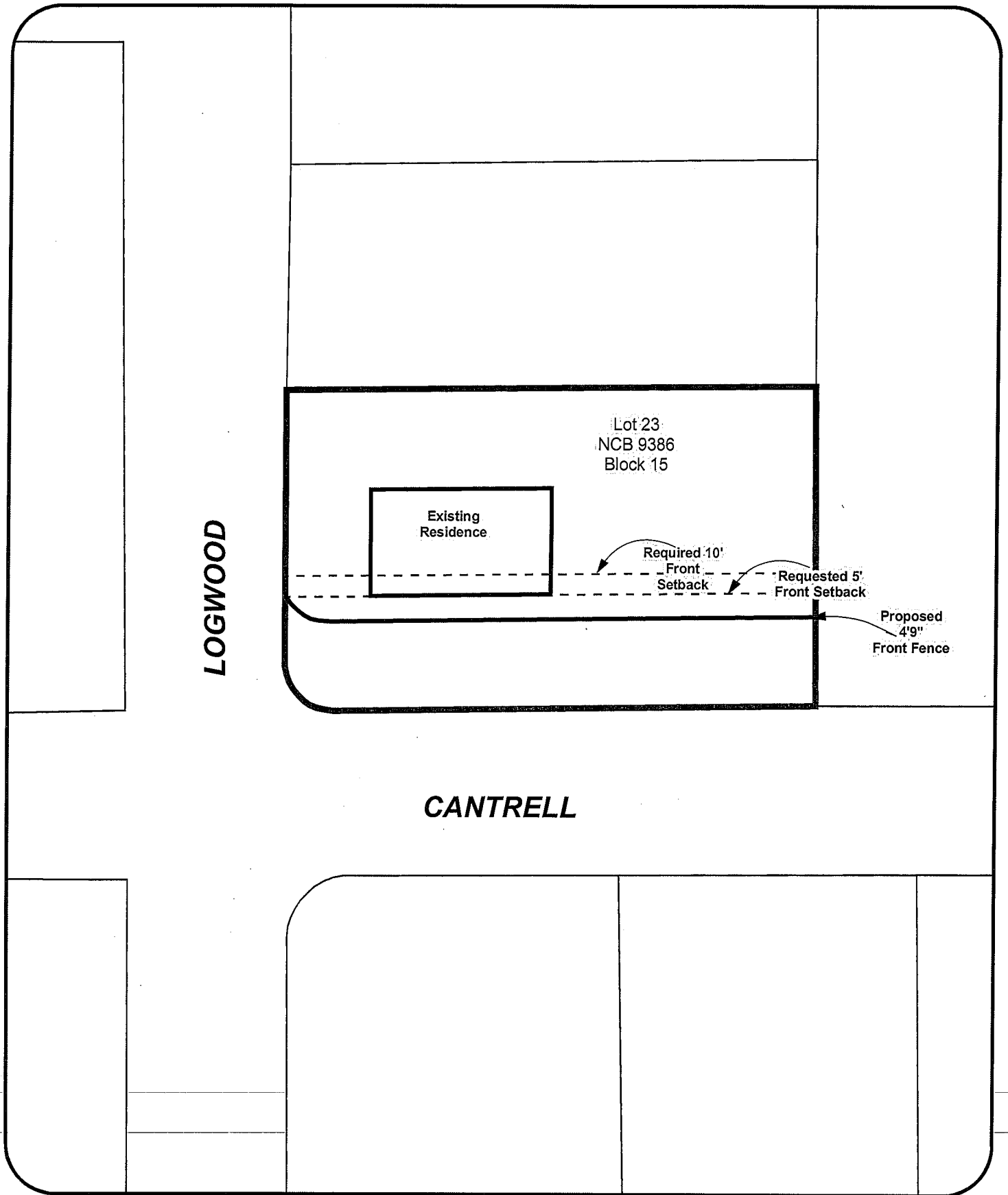
THE AMENDMENTS ARE AS FOLLOWS:

1. REMOVE A COMMON LOT LUG AS FOR SECTION 35-141-0111.
2. ADD AN INTERESTEDNESS EXCEPT AS FOR SECTION 35-141-0111.

CURVE DATA			
NO.	RADIUS	DELTA	CHORD
C1	130.00'	18.43°	45.00'
C2	130.00'	18.43°	45.00'
C3	130.00'	18.43°	45.00'
C4	130.00'	18.43°	45.00'
C5	130.00'	18.43°	45.00'
C6	130.00'	18.43°	45.00'

LINE TABLE			
NO.	CHORD	BRG.	CHORDIST.
L1	523.28	0° 00'	0.11'
L2	505.42	15° 00'	0.20'
L3	505.42	15° 00'	0.20'
L4	505.42	15° 00'	0.20'
L5	505.42	15° 00'	0.20'
L6	505.42	15° 00'	0.20'
L7	505.42	15° 00'	0.20'
L8	505.42	15° 00'	0.20'
L9	505.42	15° 00'	0.20'
L10	505.42	15° 00'	0.20'





Board of Adjustment
Plot Plan for
Case A-08-091



Scale: 1" approx. = 30'
Council District 4

1135 Cantrell Dr

Produced by the City of San Antonio
Development Services Department
(08/06/2008)

Board of Adjustment - Case No. A-08-091

August 18, 2008

The Board of Adjustment will hold a Public Hearing at 1:00 PM on **Monday, August 18, 2008** in the Board Room on the 1st floor of the Cliff Morton Development & Business Services Center, 1901 South Alamo Street, to consider the following application:

Applicant - Christopher and Elizabeth Ledesma
Lot 23, Block 15, NCB 9386
1135 Cantrell Drive
Zoned: "MF-33" Multi-Family District

The applicant is requesting 1) a 5-foot variance from the Unified Development Code standard that a minimum 10-foot front setback be maintained in "MF-33" zoning districts when developed as single-family lots, in order to keep an existing residential structure 5 feet from the front property line and 2) a 9-inch variance from the requirement that predominantly open front yard fences be no taller than 4 feet, in order to keep an existing predominantly open front yard fence 4 feet 9 inches tall.

The City of San Antonio, Texas desires that you as an interested property owner be advised as to the action being considered in reference to this application and invites you to attend this public hearing to express your opinion on this issue. You may contact Case Manager Jacob Floyd at 207-8318 regarding the status of this case. If you plan to make a presentation and would like to utilize audio/video capabilities, the Development Services Department must receive all materials at least 24 hours prior to the public hearing.

Construction relative to any variances granted by the Board must be started within six (6) months of the public hearing.

The Cliff Morton Development and Business Services Center is wheelchair accessible. Accessible parking spaces are located on the north and south sides of the building.

Whether or not you attend this public hearing, please complete and return the cut-out portion below to the Development Services Department, 1901 South Alamo Street, San Antonio, Texas 78204. Thank you.

If you wish to comment, please complete, clip out and return this portion of the notice prior to the date of the public hearing.

Si usted desea hacer un comentario, por favor devuelva esta tarjeta antes de la audiencia publica.

Name/Nombre: _____ Telephone/Telefono: _____

Address/Direccion: _____

Lot/Lote: _____ Block/Cuadra: _____ NCB: _____

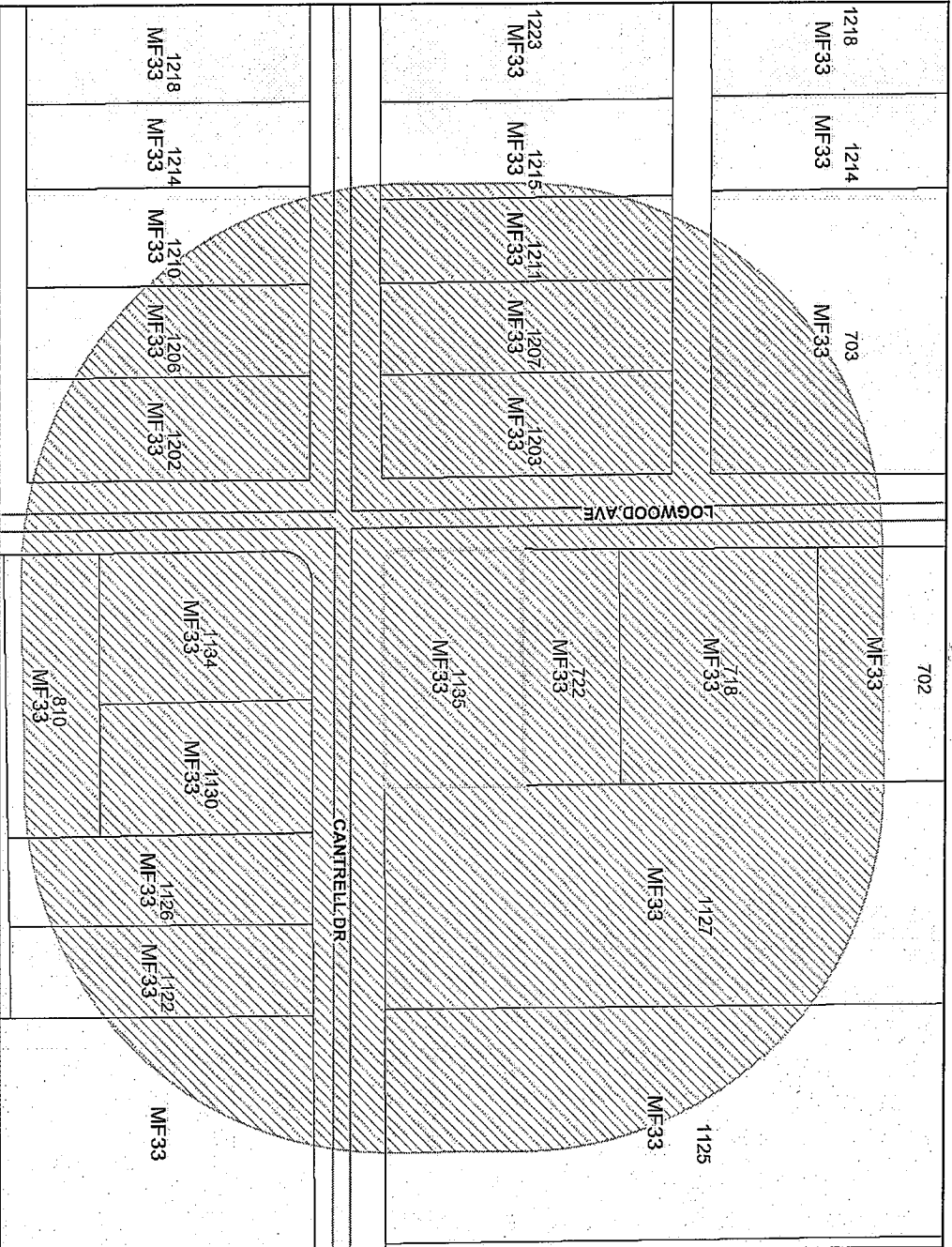
() In Favor/A Favor

() In Opposition/En Oposicion

Comments/Comentarios: _____

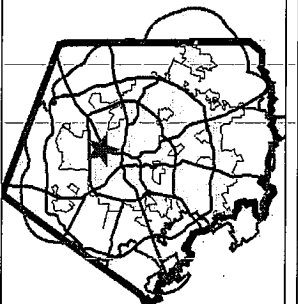
A-08-091

A-08-091 (1135 Cantrell Drive)



0 110 220 330 ft.

Map center: 2120475, 13674675



Legend

- ☐ Parcels
- ☐ Lakes
- ☐ Military Bases
- ☐ San Antonio City Limits
- ☐ Incorporated Towns
- ☐ Bexar County
- ☐ Bexar Streets
- ☐ Parcel Addresses
- ☐ Zoning

- ☐ B2NA
- ☐ C1
- ☐ C2
- ☐ C2NA
- ☐ C3
- ☐ C3NA
- ☐ C3R
- ☐ D
- ☐ H1
- ☐ I2
- ☐ L
- ☐ MF25
- ☐ MF33
- ☐ MF40
- ☐ NC
- ☐ NP-10
- ☐ NP-15
- ☐ NP-8
- ☐ O1
- ☐ O2
- ☐ OCL
- ☐ R20
- ☐ R4
- ☐ R5
- ☐ R6



Scale: 1:1,120

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

CASE NO: A-08-091

Board of Adjustment – August 18, 2008

Applicant: Christopher and Elizabeth Ledesma

Owner: Christopher M. Ledesma

Request(s): The applicant is requesting **1)** a 5-foot variance from the Unified Development Code standard that a minimum 10-foot front setback be maintained in “MF-33” zoning districts when developed as single-family lots, in order to keep an existing residential structure 5 feet from the front property line, and **2)** a 9-inch variance from the requirement that predominantly open front yard fences be no taller than 4 feet, in order to keep an existing predominately open front yard fence that is 4-foot, 9-inches tall.

Legal Description: Lot 23, Block 15, NCB 9386

Address: 1135 Cantrell Drive

Zoning: “MF-33” Multi-Family District

Existing Use: Single-Family Residence

Neigh. Assoc: None

Neigh. Plan: None

Sections of the City Code from which this variance is requested:

35-310 Zoning District Purpose Statements and Design Regulations: A minimum 10-foot front setback is required in “MF-33” zoning districts when developed as single-family lots.

35-514 Fences: Open fences in front yards shall not exceed 4 feet in height.

Background: The subject property is located on the city’s south side, south of South West Military Drive and east of Interstate 35. The neighborhood consists primarily of single-family residential uses, with a number of multi-family uses and several commercial uses present as well. Surrounding properties are all zoned “MF-33” but are developed as single-family lots, except for the property at 703 Logwood Avenue, just north of the subject property on the corner of Logwood Avenue and Aaron Place, which is developed as multi-family residential. The subject property was originally addressed off of Logwood Avenue and is a dual-frontage lot.

A single-family residence is currently situated on the property, 5 feet from the front property line, fronting onto Cantrell Drive. Residential building permits were originally issued with the understanding that the property would front onto Logwood Avenue, in which case the structure would have met all setback requirements. However, it was later determined that the lot fronted onto Cantrell Drive. A 20-foot building line is included on the plat, from which the structure is 5 feet. Additionally, upon inspection by Staff, the front yard fence has been found to be situated on this building line and has a maximum height of 4 feet, 9 inches at the gate posts. It appears that no permits were issued for the existing front-yard fence.

Recommendation: The intent of the front setback requirements in residential zoning districts is to maintain the character of the block face and ensure neighborhood uniformity, create a pedestrian friendly environment, and preserve safe visual clearance. Due to the depth of the subject lot and

the platted 20-foot building line, there exists a hardship in the sense that the buildable space is extremely limited. While the intent of the front setback requirement is to maintain the character of the block face and to ensure neighborhood uniformity, this lot was platted in such a way that there would be great difficulty in developing a residence with the front façade aligning with the residence on the lot to the immediate east. The 20-foot building line results in a large portion of the lot being unusable due to right-of-way dedication, as indicated on the plat. Therefore, Staff recommends **approval** of the requested front setback variance.

The intent of the maximum fence height requirement in front yards is to allow property owners to screen and secure their property while also maintaining openness, air flow, light penetration, neighborhood uniformity and safe visual clearance. The fence height in front yards is also limited because its presence can detract from the streetscape and pedestrian friendliness of a neighborhood. The height of the fences in the surrounding neighborhood varies, but primarily are no more than 4 feet in height. Additionally, there does not appear to be any conditions inherent to the subject property to justify the additional fence height. Furthermore, the fence in question was erected without the proper permits having been obtained. For these reasons, Staff recommends **denial** of the requested front-yard fence height variance.

Case Manager: Jacob Floyd, Planner (210) 207-8318

SUBJECT TO RECORDED RESTRICTIVE COVENANTS AND/OR EASEMENTS AS FOLLOWS:

VOL. 1557 PAGE 275 DEED RECORDS VOL. — PAGE — RECORDS
VOL. — PAGE — RECORDS VOL. — PAGE — RECORDS

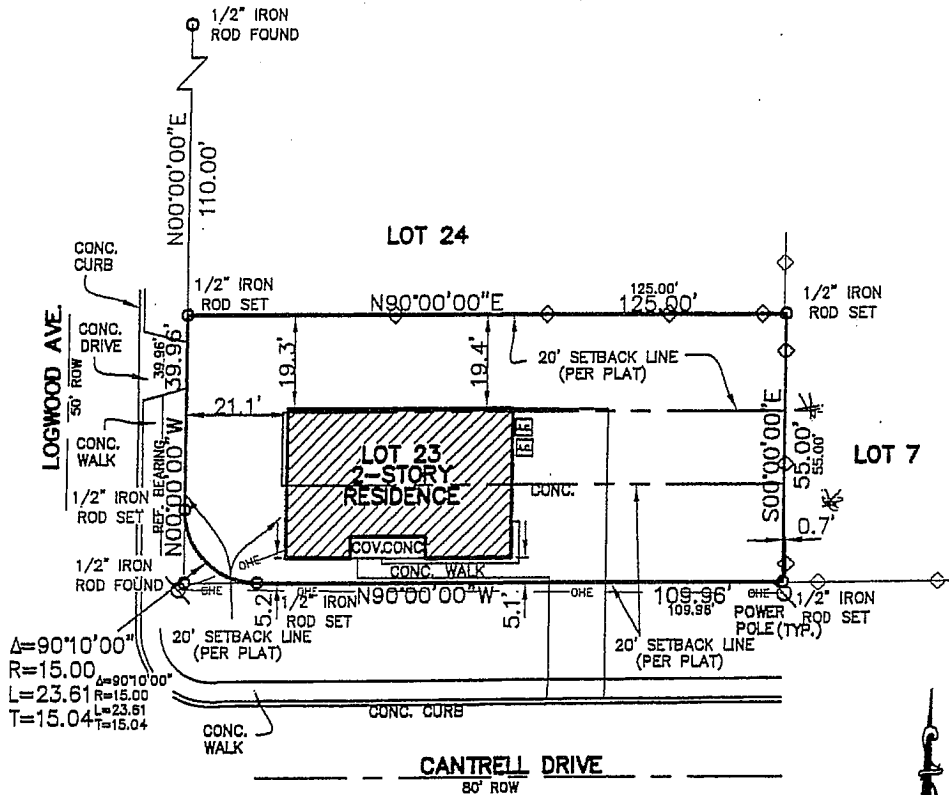
N45°00'00"E
100.00'

RECORD INFORMATION

S45°00'00"W AS MEASURED IN FIELD
100.00'

× BARBED WIRE Δ SMOOTH WIRE \ / WOOD FENCE
○ IRON FENCE ◇ CHAIN LINK FENCE ← WATER FLOW

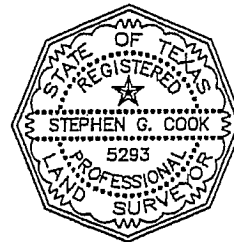
NOTE: BEARINGS AND DISTANCES WERE
BASED ON FIELD CONDITIONS.



this is the "Logwood" address

I, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, OF THE PROPERTY DESCRIBED HEREON. I FURTHER CERTIFY THAT ENCROACHMENTS, EASEMENTS AND RIGHT-OF-WAYS VISIBLE ON SITE ARE SHOWN HEREON. SETBACKS AND EASEMENTS SHOWN ARE FROM RECORDED COUNTY DOCUMENT RECORDS. MUNICIPAL RESTRICTIONS ARE NOT SHOWN. COPYRIGHT © 2008 STEPHEN G. COOK ENGINEERING, INC. ALL RIGHTS RESERVED

Stephen G. Cook
STEPHEN G. COOK, R.P.L.S.



LOT(S) 23 BLOCK 15 N.C.B. 9386
A.P. FORD COMPANY SPECIAL ACRES SUBDIVISION OF SAN JOSE ADDITION VOLUME 4700 PAGE 218
OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.
WITNESS MY HAND AND SEAL THIS 31 DAY OF MARCH 20 08
BUYER CHRISTOPHER LEDESMA AND ELIZABETH LEDESMA
ADDRESS 726 LOGWOOD AVE. GF NO. 1210014155
STEPHEN G. COOK, INC. JOB NO. 266-440-000 DRAWN BY: N.A. DISK: CAD/S SURV. BY: MJ



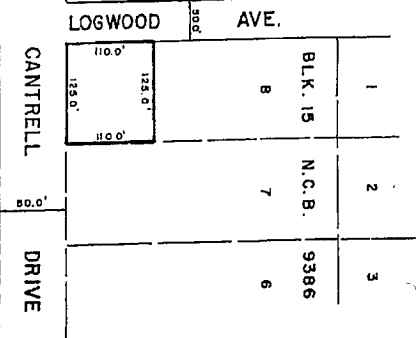
SGC

12000 STARCREST, SUITE 107
STEPHEN G. COOK ENGINEERING, INC. SAN ANTONIO, TEXAS 78247-4117
REGISTERED LAND SURVEYORS 210/481-2533 * FAX: 210/481-2150
WWW.SGCE.NET

THE OWNERS OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAMES ARE SUBSCRIBED HERETO, HEREBY DECLARE THIS PLAT TO BE VACATED.

Jack H. Wells
 JULIO L. LERESA
 SIGNED TO AND SUBSCRIBED BEFORE ME THIS
 11th DAY OF APRIL A.D. 1962
J. B. Leonard
 J. B. LEONARD, NOTARY PUBLIC
 BEXAR COUNTY, TEXAS

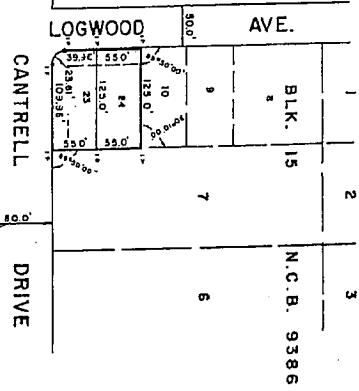
VACATING PLAT
 OF
 SOUTH 110.00' OF LOT 8, BLK. 15, N.C.B. 9386,
 A.P. FORD COMPANY SPECIAL ACREAGE SUBDIVISION
 OF SAN JOSE ADDITION, RECORDED IN VOL. 358,
 PAGE 292 OF THE PLAT RECORDS OF BEXAR
 COUNTY, TEXAS.



SCALE: 1" = 100'

VACATING PLAT

RESUBDIVISION PLAT



CURVE DATA:
 R = 50.00'
 Δ = 180.00°
 L = 31.42°
 L = 23.64°

NOTE:
 200' FRONT-BUILDING LINE
 200' SIDE-BUILDING LINE ON
 CORNER LOT

LOCATION MAP

LOGWOOD AVE.	W	E
CANTRELL DRIVE	W	E
LOGWOOD AVE.	W	E
CANTRELL DRIVE	W	E

Aug 31, 1962
 PREPARED BY: COLLINS ENGINEERING CO.
 8151 BROADWAY, SAN ANTONIO, TEXAS

RESUBDIVISION PLAT

LOTS 23 AND 24--BLOCK 15--N.C.B. 9386, BEING
 OUT OF THE SOUTH 110.00' OF LOT 8--BLOCK 15--
 N.C.B. 9386--A. P. FORD COMPANY SPECIAL ACRE-
 AGE SUBDIVISION OF SAN JOSE ADDITION--SAN
 ANTONIO--TEXAS.

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